

Calendar No. 616

109TH CONGRESS
2D SESSION**S. 3570**

To amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2006

Mr. ENZI (for himself, Mr. KENNEDY, Mr. DEWINE, Ms. MIKULSKI, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

SEPTEMBER 19, 2006

Reported by Mr. ENZI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Older Americans Act
5 Amendments of 2006”.

1 **SEC. 2. DEFINITIONS.**

2 Section 102 of the Older Americans Act of 1965 (42
3 U.S.C. 3002) is amended—

4 (1) in paragraph (12)(D), to read as follows:

5 “(D) evidence-based health promotion pro-
6 grams, including programs related to the pre-
7 vention and mitigation of the effects of chronic
8 disease (including osteoporosis, hypertension,
9 obesity, diabetes, and cardiovascular disease),
10 alcohol and substance abuse reduction, smoking
11 cessation, weight loss and control, stress man-
12 agement, falls prevention, physical activity, and
13 improved nutrition;”;

14 (2) by striking paragraph (24) and inserting
15 the following:

16 “(24) The term ‘exploitation’ means the fraudu-
17 lent or otherwise illegal, unauthorized, or improper
18 act or process of an individual, including a caregiver
19 or fiduciary (as such terms are defined in section
20 751), that uses the resources of an older individual
21 for monetary or personal benefit, profit, or gain, or
22 that results in depriving an older individual of right-
23 ful access to, or use of, benefits, resources, belong-
24 ings, or assets.”;

25 (3) in paragraph (29)(E)—

1 (A) in clause (i), by striking “and” at the
2 end;

3 (B) in clause (ii), by striking the period at
4 the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “‘(iii) older individuals at risk for in-
7 stitutional placement.’”;

8 (4) in paragraph (32)(D), by inserting “; in-
9 cluding an assisted living facility,” after “home”;

10 (5) by striking paragraph (34) and inserting
11 the following:

12 “(5)(A) The term ‘neglect’ means—

13 “(i) the failure of a caregiver or fiduciary
14 (as such terms are defined in section 751) to
15 provide the goods or services that are necessary
16 to maintain the health or safety of an older in-
17 dividual; or

18 “(ii) self-neglect.

19 “(B) The term ‘self-neglect’ means an adult’s
20 inability, due to physical or mental impairment or
21 diminished capacity, to perform essential self-care
22 tasks including—

23 “(i) obtaining essential food, clothing, shel-
24 ter, and medical care;

1 “(ii) obtaining goods and services nec-
 2 essary to maintain physical health, mental
 3 health, or general safety; or

4 “(iii) managing one’s own financial af-
 5 fairs.”; and

6 (6) by adding at the end the following:

7 “(44) The term ‘Aging and Disability Resource
 8 Center’ means a center established by a State as
 9 part of the State’s system of long-term care, to pro-
 10 vide a coordinated system for providing—

11 “(A) comprehensive information on avail-
 12 able public and private long-term care pro-
 13 grams, options, and resources;

14 “(B) personal counseling to assist individ-
 15 uals in assessing their existing or anticipated
 16 long-term care needs, and developing and imple-
 17 menting a plan for long-term care designed to
 18 meet their specific needs and circumstances;
 19 and

20 “(C) consumer access to the range of pub-
 21 licly-supported long-term care programs for
 22 which consumers may be eligible, by serving as
 23 a convenient point of entry for such programs.

24 “(45) The term ‘at risk for institutional place-
 25 ment’ means, with respect to an older individual,

1 that such individual is unable to perform at least
 2 two activities of daily living without substantial as-
 3 sistance (including verbal reminding, physical cuing,
 4 or supervision); including such an older individual
 5 that is determined by the State involved to be in
 6 need of placement in a long-term care facility.

7 “(46) The term ‘Hispanic-serving institution’
 8 has the meaning given the term in section 502 of the
 9 Higher Education Act of 1965 (20 U.S.C. 1101a).

10 “(47) The term ‘long-term care’ means any
 11 services, care, or items (including assistive devices)
 12 that are—

13 “(A) intended to assist individuals in cop-
 14 ing with, and to the extent practicable compen-
 15 sating for, functional impairments in carrying
 16 out activities of daily living;

17 “(B) furnished at home, in a community
 18 care setting (including a small community care
 19 setting as defined in subsection (g)(1), and a
 20 large community care setting as defined in sub-
 21 section (h)(1), of section 1929 of the Social Se-
 22 curity Act (42 U.S.C. 1396t)), or in a long-
 23 term care facility; and

24 “(C) not furnished to diagnose, treat, or
 25 cure a medical disease or condition.

1 “(48) The term ‘self-directed care’ means an
2 approach to providing services (including programs,
3 benefits, supports, and technology) under this Act
4 intended to assist an older individual with activities
5 of daily living, in which—

6 “(A) such services (including the amount,
7 duration, scope, provider, and location of such
8 services) are planned, budgeted, and purchased
9 under the direction and control of such indi-
10 vidual;

11 “(B) such individual is provided with such
12 information and assistance as is necessary and
13 appropriate to enable such individual to make
14 informed decisions about the individual’s service
15 options;

16 “(C) the needs, capabilities, and pref-
17 erences of such individual with respect to such
18 services, and such individual’s ability to direct
19 and control the individual’s receipt of such serv-
20 ices, are assessed by the area agency on aging
21 involved or the local provider agency;

22 “(D) based on the assessment made under
23 subparagraph (C), upon request, the area agen-
24 cy on aging assists such individual and the indi-

1 vidual's family, caregiver, or legal representa-
2 tive in developing—

3 “(i) a plan of services for such indi-
4 vidual that specifies which services such in-
5 dividual will be responsible for directing;

6 “(ii) a determination of the role of
7 family members (and others whose partici-
8 pation is sought by such individual) in pro-
9 viding services under such plan; and

10 “(iii) a budget for such services; and

11 “(E) the area agency on aging or State
12 agency involved provides for oversight of such
13 individual's self-directed receipt of services, in-
14 cluding steps to ensure the quality of services
15 provided and the appropriate use of funds
16 under this Act.

17 “(49) The term ‘State system of long-term
18 care’ means the Federal, State, and local programs
19 and activities administered by a State that provide,
20 support, or facilitate access to long-term care to in-
21 dividuals in such State.”.

1 **SEC. 3. OFFICE OF ELDER ABUSE PREVENTION AND SERV-**
 2 **ICES.**

3 Section 201 of the Older Americans Act of 1965 (42
 4 U.S.C. 3011) is amended by adding at the end the fol-
 5 lowing:

6 “(c)(1) In this subsection, the terms defined in sec-
 7 tion 751 shall have the meanings given those terms in that
 8 section.

9 “(2) The Secretary is authorized to establish or des-
 10 ignate within the Administration (as defined in section
 11 402) an Office of Elder Abuse Prevention and Services.

12 “(3) It shall be the duty of the Assistant Secretary,
 13 acting through the head of the Office of Elder Abuse Pre-
 14 vention and Services to—

15 “(A) develop objectives, priorities, policy, and a
 16 long-term plan for—

17 “(i) carrying out elder justice programs
 18 and activities relating to—

19 “(I) elder abuse prevention, detection,
 20 treatment, and intervention, and response;

21 “(II) training of individuals regarding
 22 the matters described in subclause (I); and

23 “(III) the improvement of the elder
 24 justice system in the United States;

25 “(ii) annually collecting, maintaining, and
 26 disseminating data relating to the abuse, ne-

1 neglect, and exploitation of elders (and, in the dis-
2 cretion of the Secretary, vulnerable adults), in-
3 cluding collecting, maintaining, and dissemi-
4 nating such data under section 753 after con-
5 sultation with the Attorney General and work-
6 ing with experts from the Department of Jus-
7 tice described in section 753(b)(1);

8 “(iii) disseminating information concerning
9 best practices regarding, and providing training
10 on, carrying out activities related to abuse, ne-
11 glect, and exploitation of elders (and, in the dis-
12 cretion of the Secretary, vulnerable adults);

13 “(iv) in conjunction with the necessary ex-
14 perts, conducting research related to abuse, ne-
15 glect, and exploitation of elders (and, in the dis-
16 cretion of the Secretary, vulnerable adults);

17 “(v) providing technical assistance to
18 States and other eligible entities that provide or
19 fund the provision of the services described in
20 subtitle B of title VII; and

21 “(vi) carrying out a study to determine the
22 national incidence and prevalence of elder
23 abuse, neglect, and exploitation in all settings;

1 ~~“(B) implement the overall policy and a strat-~~
 2 ~~egy to carry out the plan described in subparagraph~~
 3 ~~(A); and~~

4 ~~“(C) provide advice to the Secretary on elder~~
 5 ~~justice issues and administer such programs relating~~
 6 ~~to elder abuse, neglect, and exploitation as the Sec-~~
 7 ~~retary determines to be appropriate.~~

8 ~~“(4) The Secretary, acting through the Assistant Sec-~~
 9 ~~retary, may issue such regulations as may be necessary~~
 10 ~~to carry out this subsection and subtitle B of title VII.”.~~

11 **SEC. 4. FUNCTIONS OF THE ASSISTANT SECRETARY.**

12 Section 202 of the Older Americans Act of 1965 (42
 13 U.S.C. 3012) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (12)—

16 (i) by striking “carry on” and insert-
 17 ing the following:

18 ~~“(B) carry on”; and~~

19 (ii) by striking “(12)” and inserting
 20 the following:

21 ~~“(12)(A) consult and coordinate activities with~~
 22 ~~the Administrator of the Centers for Medicare &~~
 23 ~~Medicaid Services to implement and build awareness~~
 24 ~~of programs providing new benefits affecting older~~
 25 ~~individuals; and”;~~

1 (B) by striking paragraph (20) and insert-
2 ing the following:

3 “(20)(A) provide technical assistance and sup-
4 port for outreach and benefits enrollment assistance
5 to support efforts—

6 “(i) to inform older individuals with great-
7 est economic need, who may be eligible to par-
8 ticipate, but who are not participating, in Fed-
9 eral and State programs for which the individ-
10 uals are eligible, about the programs; and

11 “(ii) to enroll the individuals in the pro-
12 grams;

13 “(B) in cooperation with related Federal agency
14 partners administering the Federal programs, make
15 a grant to or enter into a contract with a qualified,
16 experienced entity to establish a National Center on
17 Senior Benefits Outreach and Enrollment, which
18 shall—

19 “(i) maintain and update web-based deci-
20 sion support and enrollment tools, and inte-
21 grated, person-centered systems, designed to in-
22 form older individuals about the full range of
23 benefits for which the individuals may be eligi-
24 ble under Federal and State programs;

“(ii) utilize cost-effective strategies to find older individuals with greatest economic need and enroll the individuals in the programs;

“(iii) create and support efforts for Aging and Disability Resource Centers, and other public and private State and community-based organizations, including faith-based organizations and coalitions, to serve as benefits enrollment centers for the programs;

“(iv) develop and maintain an information clearinghouse on best practices and the most cost-effective methods for finding and enrolling older individuals with greatest economic need in the programs; and

“(v) provide, in collaboration with related Federal agency partners administering the Federal programs, training and technical assistance on the most effective outreach, screening, enrollment, and follow-up strategies for the Federal and State programs.”;

(C) in paragraph (26)(D)—

(i) by striking “gaps in”;

(ii) by inserting “(including services that would permit such individuals to receive long-term care in home and commu-

1 nity-based settings)” after “individuals”;

2 and

3 (iii) by striking “and” at the end;

4 (D) in paragraph (27), by striking the pe-
5 riod at the end and inserting “; and”; and

6 (E) by adding at the end the following:

7 “(28) make available to States information and
8 technical assistance to support the provision of evi-
9 dence-based disease prevention and health promotion
10 services.”; and

11 (2) by striking subsection (b) and inserting the
12 following:

13 “(b) To promote the development and implementa-
14 tion of comprehensive, coordinated systems at Federal,
15 State, and local levels for providing long-term care in
16 home and community-based settings, in a manner respon-
17 sive to the needs and preferences of older individuals and
18 their family caregivers, the Assistant Secretary shall, con-
19 sistent with the applicable provisions of this title—

20 “(1) collaborate, coordinate, and consult with
21 other Federal agencies and departments (other than
22 the Administration on Aging) responsible for formu-
23 lating and implementing programs, benefits, and
24 services related to providing long-term care; and
25 may make grants, contracts, and cooperative agree-

1 ments with funds received from those other Federal
2 agencies and departments;

3 ~~“(2) conduct research and demonstration~~
4 ~~projects to identify innovative, cost-effective strate-~~
5 ~~gies for modifying State systems of long-term care~~
6 ~~to—~~

7 ~~“(A) respond to the needs and preferences~~
8 ~~of older individuals and family caregivers;~~

9 ~~“(B) target services to individuals at risk~~
10 ~~for institutional placement, to permit such indi-~~
11 ~~viduals to remain in home and community-~~
12 ~~based settings; and~~

13 ~~“(C) establish criteria for and promote the~~
14 ~~implementation (through area agencies on~~
15 ~~aging, service providers, and such other entities~~
16 ~~as the Assistant Secretary determines to be ap-~~
17 ~~propriate) of evidence-based programs to assist~~
18 ~~older individuals and their family caregivers in~~
19 ~~learning about and making behavioral changes~~
20 ~~intended to reduce the risk of injury, disease,~~
21 ~~and disability among older individuals;~~

22 ~~“(3) facilitate, in coordination with the Admin-~~
23 ~~istrator of the Centers for Medicare & Medicaid~~
24 ~~Services, including the provision of such care~~
25 ~~through self-directed care models that—~~

1 “(A) provide for the assessment of the
2 needs and preferences of an individual at risk
3 for institutional placement to help such indi-
4 vidual avoid unnecessary institutional placement
5 and depletion of income and assets to qualify
6 for benefits under the Medicaid program under
7 title XIX of the Social Security Act (42 U.S.C.
8 1396 et seq.);

9 “(B) respond to the needs and preferences
10 of such individual and provide the option—

11 “(i) for the individual to direct and
12 control the receipt of supportive services
13 provided; or

14 “(ii) as appropriate, for a person who
15 was appointed by the individual, or is le-
16 gally acting on the individual’s behalf, in
17 order to represent or advise the individual
18 in financial or service coordination matters
19 (referred to in this paragraph as a ‘rep-
20 resentative’ of the individual), to direct
21 and control the receipt of those services;
22 and

23 “(C) assist an older individual (or, as ap-
24 propriate, a representative of the individual) to
25 develop a plan for long-term support, including

1 selecting, budgeting for, and purchasing home
2 and community-based long-term care and sup-
3 portive services;

4 “(4) provide for the Administration to play a
5 lead role with respect to issues concerning home and
6 community-based long-term care, including—

7 “(A) directing (as the Secretary or the
8 President determines to be appropriate) or oth-
9 erwise participating in departmental and inter-
10 departmental activities concerning long-term
11 care; and

12 “(B) reviewing and commenting on depart-
13 mental rules, regulations, and policies related to
14 providing long-term care; and

15 “(C) making recommendations to the Sec-
16 retary with respect to home and community-
17 based long-term care, including recommenda-
18 tions based on findings made through projects
19 conducted under paragraph (2);

20 “(5) promote, in coordination with other appro-
21 priate Federal agencies—

22 “(A) enhanced awareness by the public of
23 the importance of planning in advance for long-
24 term care; and

1 “(B) the availability of information and re-
2 sources to assist in such planning;

3 “(6) establish, either directly or through grants
4 or contracts, a national technical assistance program
5 to assist State agencies, area agencies on aging, and
6 community-based service providers funded under this
7 Act in implementing home and community-based
8 long-term care systems, including evidence-based
9 programs;

10 “(7) develop, in collaboration with the Adminis-
11 trator of the Centers for Medicare & Medicaid Serv-
12 ices, performance standards and measures for use by
13 States to determine the extent to which their sys-
14 tems of long-term care fulfill the objectives described
15 in this subsection; and

16 “(8) conduct such other activities as the Assist-
17 ant Secretary determines to be appropriate.

18 “(c) The Assistant Secretary, after consultation with
19 the Chief Executive Officer of the Corporation for Na-
20 tional and Community Service, shall—

21 “(1) encourage and permit volunteer groups
22 (including organizations carrying out national serv-
23 ice programs and including organizations of youth in
24 secondary or postsecondary school) that are active in
25 supportive services and civic engagement to partici-

1 pate and be involved individually or through rep-
 2 resentative groups in supportive service and civic en-
 3 gagement programs or activities to the maximum ex-
 4 tent feasible;

5 “(2) develop a comprehensive strategy for uti-
 6 lizing older individuals to address critical local needs
 7 of national concern; and

8 “(3) encourage other community capacity-build-
 9 ing initiatives involving older individuals.”.

10 **SEC. 5. FEDERAL AGENCY CONSULTATION.**

11 Section 203 of the Older Americans Act of 1965 (42
 12 U.S.C. 3013) is amended—

13 (1) in subsection (a)(3)(A)—

14 (A) by striking “(with particular attention
 15 to low-income minority older individuals and
 16 older individuals residing in rural areas)” and
 17 inserting “(with particular attention to low-in-
 18 come older individuals, including low-income
 19 minority older individuals, older individuals
 20 with limited English proficiency, and older indi-
 21 viduals residing in rural areas)”;

22 (B) by striking “section 507” and insert-
 23 ing “section 516”;

24 (2) in subsection (b), by adding at the end the
 25 following:

1 “(19) Sections 4 and 5 of the Assistive Tech-
 2 nology Act of 1998 (29 U.S.C. 3003, 3004).”; and
 3 (3) by adding at the end the following:

4 “(c)(1) The Secretary, in collaboration with the Sec-
 5 retary of Housing and Urban Development and with the
 6 other Federal officials specified in paragraph (2), shall es-
 7 tablish an interagency coordinating committee (referred to
 8 in this subsection as the ‘Committee’) focusing on the co-
 9 ordination of agencies with respect to aging issues, par-
 10 ticularly issues related to demographic changes and hous-
 11 ing needs among older individuals.

12 “(2) The officials referred to in paragraph (1) are
 13 the Secretary of Labor, the Secretary of Housing and
 14 Urban Development, the Attorney General, the Secretary
 15 of Transportation, the Secretary of the Treasury, the Sec-
 16 retary of Agriculture, the Commissioner of Social Secu-
 17 rity, the Surgeon General, the Administrator of the Cen-
 18 ters for Medicare & Medicaid Services, the Director of the
 19 Centers for Disease Control and Prevention, the Director
 20 of the National Institutes of Health, the Assistant Sec-
 21 retary for Children and Families, the Administrator of the
 22 National Highway Traffic Safety Administration, and
 23 such other Federal officials as the Secretary of Health and
 24 Human Services determines to be appropriate.

1 ~~“(3) The Secretary of Health and Human Services~~
2 ~~shall serve as the first chairperson of the Committee, for~~
3 ~~an initial period of 2 years. After that initial period, the~~
4 ~~Secretary of Housing and Urban Development and the~~
5 ~~Secretary of Health and Human Services shall alternate~~
6 ~~as chairpersons of the Committee, each serving as chair-~~
7 ~~person for a period of 2 years.~~

8 ~~“(4) The Committee shall—~~

9 ~~“(A) review all Federal programs and services~~
10 ~~that assist older individuals in finding and affording~~
11 ~~housing, health care, and other services, including~~
12 ~~those Federal programs and services that assist~~
13 ~~older individuals in accessing health care, transpor-~~
14 ~~tation, supportive services, and assistance with daily~~
15 ~~activities, at the place or close to the place where the~~
16 ~~older individuals live;~~

17 ~~“(B) monitor, evaluate, and recommend im-~~
18 ~~provements in programs and services administered,~~
19 ~~funded, or financed by Federal, State, and local~~
20 ~~agencies to assist older individuals in meeting their~~
21 ~~housing, health care, and other service needs and~~
22 ~~make any recommendations about how the agencies~~
23 ~~can better carry out and provide the programs and~~
24 ~~services to house and serve older individuals;~~

25 ~~“(C) recommend ways to—~~

1 “(i) facilitate aging in place of older indi-
2 viduals, by identifying and making available the
3 programs and services necessary to enable older
4 individuals to remain in their homes as the in-
5 dividuals age;

6 “(ii) reduce duplication by Federal agen-
7 cies of programs and services to assist older in-
8 dividuals in meeting their housing, health care,
9 and other service needs;

10 “(iii) ensure collaboration among and with-
11 in agencies in providing and making available
12 the programs and services so that older individ-
13 uals are able to easily access needed programs
14 and services;

15 “(iv) work with States to better provide
16 housing, health care, and other services to older
17 individuals by—

18 “(I) holding individual meetings with
19 State representatives;

20 “(II) providing ongoing technical as-
21 sistance to States about better meeting the
22 needs of older individuals; and

23 “(III) working with States to des-
24 ignate State liaisons for the Committee;

1 “(v) identify model programs and services
2 to assist older individuals in meeting their hous-
3 ing, health care, and other service needs, in-
4 cluding model—

5 “(I) programs linking housing, health
6 care, and other services;

7 “(II) financing products offered by
8 government, quasi-government, and private
9 sector entities; and

10 “(III) innovations in technology appli-
11 cations that give older individuals access to
12 information on available services or that
13 help in providing services to older individ-
14 uals;

15 “(vi) collect and disseminate information
16 about older individuals and the programs and
17 services available to the individuals to ensure
18 that the individuals can access comprehensive
19 information; and

20 “(vii) work with the Federal Interagency
21 Forum on Aging-Related Statistics, the Bureau
22 of the Census, and member agencies—

23 “(I) to collect and maintain data re-
24 lating to the housing, health care, and
25 other service needs of older individuals so

1 that all such data can be accessed in one
2 place on a designated website; and

3 ~~“(H) to identify and address unmet~~
4 ~~data needs;~~

5 ~~“(D) make recommendations to guide policy~~
6 ~~and program development across Federal agencies~~
7 ~~with respect to demographic changes among older~~
8 ~~individuals; and~~

9 ~~“(E) actively seek input from and consult with~~
10 ~~all appropriate and interested parties, including pub-~~
11 ~~lic health interest and research groups and founda-~~
12 ~~tions about the activities described in subparagraphs~~
13 ~~(A) through (D).~~

14 ~~“(5) Each year, the Committee shall prepare and~~
15 ~~submit to the President, the Committee on Financial Serv-~~
16 ~~ices of the House of Representatives, the Committee on~~
17 ~~Education and the Workforce of the House of Representa-~~
18 ~~tives, the Committee on Banking, Housing, and Urban Af-~~
19 ~~fairs of the Senate, the Committee on Health, Education,~~
20 ~~Labor, and Pensions of the Senate, and the Special Com-~~
21 ~~mittee on Aging of the Senate, a report that—~~

22 ~~“(A) describes the activities and accomplish-~~
23 ~~ments of the Committee in working with Federal,~~
24 ~~State, and local governments, and private organiza-~~

1 tions, in coordinating programs and services to meet
2 the requirements of paragraph (4);

3 “(B) assesses the level of Federal assistance re-
4 quired to meet the needs described in paragraph (4);

5 “(C) incorporates an analysis from the head of
6 each agency that is a member of the interagency co-
7 ordinating committee established under paragraph
8 (1) that describes the barriers and impediments, in-
9 cluding barriers and impediments in statutory and
10 regulatory law, to the access and use by older indi-
11 viduals of programs and services administered by
12 such agency; and

13 “(D) makes recommendations for appropriate
14 legislative and administrative actions to meet the
15 needs described in paragraph (4) and for coordi-
16 nating programs and services designed to meet those
17 needs.

18 “(6)(A) The Secretary of Health and Human Serv-
19 ices, after consultation with the Secretary of Housing and
20 Urban Development, shall appoint an executive director
21 of the Committee.

22 “(B) On the request of the Committee, any Federal
23 Government employee may be detailed to the Committee
24 without reimbursement, and such detail shall be without
25 interruption or loss of civil service status or privilege.”.

1 **SEC. 6. ADMINISTRATION.**

2 Section 205 of the Older Americans Act of 1965 (42
3 U.S.C. 3016) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (C), by adding
7 “and” at the end;

8 (ii) in subparagraph (D), by striking
9 “; and” at the end and inserting a period;
10 and

11 (iii) by striking subparagraph (E);
12 and

13 (B) in paragraph (2)—

14 (i) in subparagraph (A)—

15 (I) by amending clause (i) to
16 read as follows:

17 “(i) designing, implementing, and evaluating
18 evidence-based programs to support improved nutri-
19 tion and regular physical activity for older individ-
20 uals;”;

21 (II) by amending clause (iii) to
22 read as follows:

23 “(iii) conducting outreach and disseminating
24 evidence-based information to nutrition service pro-
25 viders about the benefits of healthful diets and reg-
26 ular physical activity, including information about

the most current Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), the Food Guide Pyramid published by the Secretary of Agriculture, and advances in nutrition science;”;

(III) in clause (vii) by striking

“and” at the end; and

(IV) by striking clause (viii) and

inserting the following:

“(viii) disseminating guidance that describes strategies for improving the nutritional quality of meals provided under title III; and

“(ix) providing technical assistance to the regional offices of the Administration with respect to each duty described in clauses (i) through (viii).”;

and

(ii) by amending subparagraph (C)(i)

to read as follows:

“(i) have expertise in nutrition and meal planning; and”.

SEC. 7. EVALUATION.

Section 206(g) of the Older Americans Act of 1965 (42 U.S.C. 3017(g)) is amended by striking the first sentence and inserting the following: “From the total amount

1 appropriated for each fiscal year to carry out title III, the
 2 Secretary may use such sums as may be necessary, but
 3 not more than $\frac{1}{2}$ of 1 percent of such amount, for pur-
 4 poses of conducting evaluations under this section, either
 5 directly or by grant or contract.”.

6 **SEC. 8. REPORTS.**

7 Section 207(b)(2) of the Older Americans Act of
 8 1965 (42 U.S.C. 3018(b)(2)) is amended—

9 (1) in subparagraph (B), by striking “Labor”
 10 and inserting “the Workforce”; and

11 (2) in subparagraph (C), by striking “Labor
 12 and Human Resources” and inserting “Health, Edu-
 13 cation, Labor, and Pensions”.

14 **SEC. 9. CONTRACTUAL, COMMERCIAL AND PRIVATE PAY**
 15 **RELATIONSHIPS; APPROPRIATE USE OF ACT**
 16 **FUNDS.**

17 (a) PRIVATE PAY RELATIONSHIPS; APPROPRIATE
 18 USE OF ACT FUNDS.—Section 212 of the Older Ameri-
 19 cans Act (42 U.S.C. 3020c) is amended to read as follows:

20 **“SEC. 212. CONTRACTING AND GRANT AUTHORITY; PRI-**
 21 **VATE PAY RELATIONSHIPS; APPROPRIATE**
 22 **USE OF FUNDS.**

23 “(a) IN GENERAL.—Subject to subsection (b), this
 24 Act shall not be construed to prevent a recipient of a grant

1 or a contract under this Act from entering into an agree-
 2 ment—

3 ~~“(1) with a profitmaking organization;~~

4 ~~“(2) under which funds provided under such~~
 5 ~~grant or contract are used to pay part or all of a~~
 6 ~~cost (including an administrative cost) incurred by~~
 7 ~~such recipient to carry out a contract or commercial~~
 8 ~~relationship for the benefit of older individuals or~~
 9 ~~their family caregivers; whether such contract or re-~~
 10 ~~lationship is carried out to implement a provision of~~
 11 ~~this Act or to conduct activities inherently associated~~
 12 ~~with implementing such provision; or~~

13 ~~“(3) under which any individual, regardless of~~
 14 ~~age or income (including the family caregiver of such~~
 15 ~~individual), who seeks to receive 1 or more services~~
 16 ~~may voluntarily pay, at their own private expense, to~~
 17 ~~receive such services based on the fair market value~~
 18 ~~of such services.~~

19 ~~“(b) ENSURING APPROPRIATE USE OF FUNDS.—An~~
 20 ~~agreement described in subsection (a) may not—~~

21 ~~“(1) be made without the prior approval of the~~
 22 ~~State agency (or, in the case of a grantee under title~~
 23 ~~VI, without the prior recommendation of the Direc-~~
 24 ~~tor of the Office for American Indian, Alaska Na-~~

1 tive, and Native Hawaiian Aging and the prior ap-
2 proval of the Assistant Secretary);

3 ~~“(2) directly or indirectly provide for, or have~~
4 ~~the effect of, paying, reimbursing, or otherwise com-~~
5 ~~pensating an entity under such agreement in an~~
6 ~~amount that exceeds the fair market value of the~~
7 ~~goods or services furnished by such entity under~~
8 ~~such agreement;~~

9 ~~“(3) result in the displacement of services oth-~~
10 ~~erwise available to an older individual with greatest~~
11 ~~social need, an older individual with greatest eco-~~
12 ~~nomie need, or an older individual who is at risk for~~
13 ~~institutional placement; or~~

14 ~~“(4) in any other way compromise, undermine,~~
15 ~~or be inconsistent with the objective of serving the~~
16 ~~needs of older individuals, as determined by the As-~~
17 ~~stant Secretary.”.~~

18 **SEC. 10. NUTRITION EDUCATION.**

19 Section 214 of the Older Americans Act of 1965 (42
20 U.S.C. 3020e) is amended to read as follows:

21 **“SEC. 214. NUTRITION EDUCATION.**

22 ~~“The Assistant Secretary, in consultation with the~~
23 ~~Secretary of Agriculture, shall conduct outreach and pro-~~
24 ~~vide technical assistance to agencies and organizations~~
25 ~~that serve older individuals to assist such agencies and or-~~

ganizations to carry out integrated health promotion and
disease prevention programs that—

“(1) are designed for older individuals; and

“(2) include—

“(A) nutrition education;

“(B) physical activity; and

“(C) other activities to modify behavior
and to improve health literacy, including pro-
viding information on optimal nutrient intake,
through education and counseling in accordance
with section 339(2)(J).”.

**SEC. 11. PENSION COUNSELING AND INFORMATION PRO-
GRAMS.**

Section 215 of the Older Americans Act of 1965 (42
U.S.C. 3020e-1) is amended—

(1) in subsection (c)(1)(J), by striking “and low
income retirees” and inserting “, low-income retir-
ees, and older individuals with limited English pro-
ficiency”;

(2) in subsection (f), by amending paragraph
(2) to read as follows:

“(2) The ability of the entity to perform effec-
tive outreach to affected populations, particularly
populations with limited English proficiency and

1 other populations that are identified as in need of
 2 special outreach.”; and

3 ~~(3)~~ in subsection ~~(h)~~(2), by inserting “(includ-
 4 ing individuals with limited English proficiency)”
 5 after “individuals”.

6 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 216 of the Older Americans Act of 1965 (42
 8 U.S.C. 3020f) is amended—

9 ~~(1)~~ in subsection (a) by striking “2001, 2002,
 10 2003, 2004, and 2005” and inserting “2007, 2008,
 11 2009, 2010, and 2011.”; and

12 ~~(2)~~ in subsections ~~(b)~~ and ~~(c)~~ by striking
 13 “year” and all that follows through “years”, and in-
 14 serting “years 2007, 2008, 2009, 2010, and 2011”.

15 **SEC. 13. PURPOSE; ADMINISTRATION.**

16 Section 301(a)(2) of the Older Americans Act of
 17 1965 (42 U.S.C. 3021(a)(2)) is amended—

18 ~~(1)~~ in subparagraph ~~(D)~~, by striking “and” at
 19 the end;

20 ~~(2)~~ in subparagraph ~~(E)~~, by striking the period
 21 at the end and inserting “; and”; and

22 ~~(3)~~ by adding at the end the following:

23 “~~(F)~~ organizations with experience in providing
 24 senior volunteer services, such as Federal volunteer
 25 programs administered by the Corporation for Na-

1 tional and Community Service and designed to pro-
 2 vide training, placement, and stipends for volunteers
 3 in community service settings.”.

4 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS; USES OF**
 5 **FUNDS.**

6 Section 303 of the Older Americans Act of 1965 (42
 7 U.S.C. 3023) is amended—

8 (1) in subsections (a)(1), (b), and (d), by strik-
 9 ing “year 2001” and all that follows through
 10 “years” each place it appears, and inserting “years
 11 2007, 2008, 2009, 2010, and 2011”; and

12 (2) in subsection (c)—

13 (A) in paragraph (1) by striking
 14 “\$125,000,000” and all that follows and insert-
 15 ing “\$160,000,000 for fiscal year 2007.”; and

16 (B) in paragraph (2), by striking “such
 17 sums” and all that follows and inserting
 18 “\$170,000,000 for fiscal year 2008,
 19 \$180,000,000 for fiscal year 2009,
 20 \$190,000,000 for fiscal year 2010, and
 21 \$200,000,000 for fiscal year 2011.”.

22 **SEC. 15. ALLOTMENTS.**

23 Section 304(d)(1)(A) of the Older Americans Act of
 24 1965 (42 U.S.C. 3024(d)(1)(A)) is amended to read as
 25 follows:

“(A)(i) such amount as the State agency determines, but not more than 10 percent thereof, shall be available for paying such percentage as the agency determines, but not more than 75 percent, of the cost of administration of area plans; and

“(ii) in addition to that amount, for any fiscal year among fiscal years 2007 through 2011 for which the amount appropriated under subsections (a) through (d) of section 303 is not less than 110 percent of that appropriated amount for fiscal year 2006, an amount equal to 1 percent of the State’s allotment shall be used by the area agencies on aging in the State to carry out the assessment described in section 306(b).”

SEC. 16. ORGANIZATION.

Section 305 of the Older Americans Act of 1965 (42 U.S.C. 3025) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(E)—

(i) by striking “(with particular attention to low-income minority individuals and older individuals residing in rural areas)” each place it appears and inserting “(with

particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”; and

(ii) by striking “and” at the end;

(B) in paragraph (2)—

(i) in subparagraph (E), by striking “, with particular attention to low-income minority individuals and older individuals residing in rural areas” and inserting “(with particular attention to low-income older individuals, including low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas)”; and

(ii) in subparagraph (G), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(3) the State agency shall, consistent with this section, promote the development and implementation of a comprehensive, coordinated system in such State for providing long-term care in home and community-based settings, in a manner responsive to the

1 needs and preferences of older individuals and their
2 family caregivers, by—

3 “(A) collaborating, coordinating, and con-
4 sulting with other agencies in such State re-
5 sponsible for formulating, implementing, and
6 administering programs, benefits, and services
7 related to providing long-term care;

8 “(B) participating in any State govern-
9 ment activities concerning long-term care, in-
10 cluding reviewing and commenting on any State
11 rules, regulations, and policies related to long-
12 term care;

13 “(C) conducting analyses and making rec-
14 ommendations with respect to strategies for
15 modifying the State’s system of long-term care
16 to better—

17 “(i) respond to the needs and pref-
18 erences of older individuals and family
19 caregivers;

20 “(ii) facilitate the provision, by service
21 providers, of long-term care in home and
22 community-based settings;

23 “(iii) target services to older individ-
24 uals at risk for institutional placement, to

1 permit such individuals to remain in home
 2 and community-based settings; and

3 “(iv) implement (through area agen-
 4 cies on aging, service providers, and such
 5 other entities as the State determines to be
 6 appropriate) programs to assist older indi-
 7 viduals and their family caregivers in
 8 learning about and making behavioral
 9 changes intended to reduce the risk of in-
 10 jury, disease, and disability among older
 11 individuals; and

12 “(D) providing for the availability and dis-
 13 tribution (through public education campaigns,
 14 Aging and Disability Resource Centers, area
 15 agencies on aging, and other appropriate
 16 means) of information relating to—

17 “(i) the need to plan in advance for
 18 long-term care; and

19 “(ii) the range of available public and
 20 private long-term care programs, options,
 21 and resources.”; and

22 (2) in subsection (b), by adding at the end the
 23 following:

24 “(6) Nothing in this section shall prevent the Com-
 25 monwealth of Puerto Rico from designating, with the ap-

1 proval of the Assistant Secretary, a single planning and
 2 service area to cover all the older individuals in the Com-
 3 monwealth.”.

4 **SEC. 17. AREA PLANS.**

5 Section 306 of the Older Americans Act of 1965 (42
 6 U.S.C. 3026) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) by striking “(with particular atten-
 10 tion to low-income minority individuals and
 11 older individuals residing in rural areas)”
 12 and inserting “(with particular attention to
 13 low-income older individuals, including low-
 14 income minority older individuals, older in-
 15 dividuals with limited English proficiency,
 16 and older individuals residing in rural
 17 areas)”;

18 (ii) by striking “(with particular at-
 19 tention to low-income minority individ-
 20 uals)” and inserting “(with particular at-
 21 tention to low-income older individuals, in-
 22 cluding low-income minority older individ-
 23 uals, older individuals with limited English
 24 proficiency, and older individuals residing
 25 in rural areas)”;

1 (iii) by inserting “the number of older
 2 individuals at risk for institutional place-
 3 ment residing in such area,” after “indi-
 4 viduals) residing in such area,”;

5 (B) in paragraph (2)(A)—

6 (i) by inserting after “transpor-
 7 tation,” the following: “health services (in-
 8 cluding mental health services),”; and

9 (ii) by inserting after “information
 10 and assistance” the following: “(which may
 11 include information and assistance to con-
 12 sumers on availability of services under
 13 part B and how to receive benefits under
 14 and participate in publicly supported pro-
 15 grams for which the consumer may be eli-
 16 gible)”;;

17 (C) in paragraph (4)—

18 (i) in subparagraph (A)—

19 (I) by amending clause (i) to
 20 read as follows:

21 “(i) provide assurances that the area agency on
 22 aging will—

23 “(I) set specific objectives, consistent with
 24 State policy, for providing services to older indi-
 25 viduals with greatest economic need; older indi-

viduals with greatest social need; and older individuals at risk for institutional placement;

“(II) include specific objectives for providing services to low-income minority older individuals; older individuals with limited English proficiency; and older individuals residing in rural areas; and

“(III) include in the area plan proposed methods to achieve such objectives;” and

(II) in clause (ii) by inserting

“(including older individuals with limited English proficiency)” after “low income minority individuals” each place it appears; and

(ii) in subparagraph (B)—

(I) by moving the left margin of each of subparagraph (B), clauses (i) and (ii), and subclauses (I) through (VI) of clause (i), 2 ems to the left; and

(II) in clause (i)—

(aa) in subclause (V) by striking “with limited English-speaking ability; and” and insert-

1 ing “with limited English pro-
 2 ficiency;”, and

3 (bb) by adding at the end
 4 the following:

5 “(VII) older individuals at risk for in-
 6 stitutional placement; and”;

7 (D) in paragraph (5), by inserting “and in-
 8 dividuals at risk for institutional placement”
 9 after “severe disabilities”;

10 (E) in paragraph (6)—

11 (i) in subparagraph (C)—

12 (I) in clause (i), by striking
 13 “and” at the end;

14 (II) in clause (ii), by adding
 15 “and” at the end; and

16 (III) by inserting after clause (ii)
 17 the following:

18 “(iii) make use of trained volunteers in
 19 providing direct services delivered to older indi-
 20 viduals and individuals with disabilities needing
 21 such services and, if possible, work in coordina-
 22 tion with entities carrying out volunteer pro-
 23 grams (including programs administered by the
 24 Corporation for National and Community Serv-
 25 ices) designed to provide training, placement,

1 and stipends for volunteers in community serv-
2 ice settings.”;

3 (ii) in subparagraph (D)—

4 (I) by inserting “family care-
5 givers of such individuals,” after
6 “Act,”; and

7 (II) by inserting “service pro-
8 viders, representatives of the business
9 community,” after “individuals,”; and

10 (iii) in subparagraph (F), by inserting
11 “(including mental health screening)” be-
12 fore “provided” each place it appears;

13 (F) in paragraph (7), to read as follows:

14 “(7) provide that the area agency on aging
15 shall, consistent with this section, facilitate the area-
16 wide development and implementation of a com-
17 prehensive, coordinated system for providing long-
18 term care in home and community-based settings, in
19 a manner responsive to the needs and preferences of
20 older individuals and their family caregivers, by—

21 “(A) collaborating, coordinating, and con-
22 sulting with other local public and private agen-
23 cies and organizations responsible for admin-
24 istering programs, benefits, and services related
25 to providing long-term care;

1 “(B) conducting analyses and making rec-
2 ommendations with respect to strategies for
3 modifying the local system of long-term care to
4 better—

5 “(i) respond to the needs and pref-
6 erences of older individuals and family
7 caregivers;

8 “(ii) facilitate the provision, by service
9 providers, of long-term care in home and
10 community-based settings;

11 “(iii) target services to older individ-
12 uals at risk for institutional placement, to
13 permit such individuals to remain in home
14 and community-based settings; and

15 “(iv) implement (through the agency
16 or service providers), evidence-based pro-
17 grams to assist older individuals and their
18 family caregivers in learning about and
19 making behavioral changes intended to re-
20 duce the risk of injury, disease, and dis-
21 ability among older individuals; and

22 “(C) providing for the availability and dis-
23 tribution (through public education campaigns,
24 Aging and Disability Resource Centers, and

1 other appropriate means) of information relat-
 2 ing to—

3 “(i) the need to plan in advance for
 4 long-term care; and

5 “(ii) the range of available public and
 6 private long-term care programs, options,
 7 and resources.”;

8 (G) by striking the 2 paragraphs (15);

9 (H) by redesignating paragraph (16) as
 10 paragraph (15); and

11 (I) by adding at the end the following:

12 “(16) provide assurances that funds received
 13 under this title will be used—

14 “(A) to provide benefits and services to
 15 older individuals giving priority to older individ-
 16 uals identified in paragraph (4)(A)(i); and

17 “(B) in compliance with the assurances
 18 specified in paragraph (13) and the limitations
 19 specified in section 212(b); and

20 “(17) provide, to the extent feasible, for the
 21 furnishing of services under this Act, consistent with
 22 self-directed care.

23 “(18) include information detailing how the
 24 area agency on aging will coordinate activities, and
 25 develop long-range emergency plans, with local and

1 State emergency response agencies, relief organiza-
 2 tions, local and State governments, and any other
 3 institutions that have responsibility for disaster re-
 4 lief service delivery.”;

5 (2) by redesignating subsections (b), (c), (d),
 6 and (e) as subsections (c), (d), (e), and (f); and

7 (3) by inserting after subsection (a) the fol-
 8 lowing:

9 “(b)(1) In any fiscal year, an area agency on aging
 10 may include in the area plan an assessment of how pre-
 11 pared the area agency on aging and service providers in
 12 the planning and service area are for a change in the num-
 13 ber of older individuals during the 10-year period following
 14 the fiscal year for which the plan is submitted. In a fiscal
 15 year described in section 304(d)(1)(A)(ii), an area agency
 16 on aging shall include the assessment in the area plan.

17 “(2) Such assessment may include—

18 “(A) the projected change in the number of
 19 older individuals in the planning and service area;

20 “(B) an analysis of how such change may affect
 21 such individuals, including individuals with low in-
 22 comes, individuals with greatest economic need, mi-
 23 nority older individuals, older individuals residing in
 24 rural areas, and older individuals with limited
 25 English proficiency;

1 “(C) an analysis of how the programs, policies,
 2 and services provided by such area agency can be
 3 improved, and how resource levels can be adjusted to
 4 meet the needs of the changing population of older
 5 individuals in the planning and service area; and

6 “(D) an analysis of how the change in the num-
 7 ber of individuals age 85 and older in the planning
 8 and service area is expected to affect the need for
 9 supportive services.

10 “(3) An area agency on aging, in cooperation with
 11 government officials, State agencies, tribal organizations,
 12 or local entities, may make recommendations to govern-
 13 ment officials in the planning and service area and the
 14 State, on actions determined by the area agency to build
 15 the capacity in the planning and service area to meet the
 16 needs of older individuals for—

17 “(A) health and human services;

18 “(B) land use;

19 “(C) housing;

20 “(D) transportation;

21 “(E) public safety;

22 “(F) workforce and economic development;

23 “(G) recreation;

24 “(H) education;

25 “(I) civic engagement;

1 “(J) emergency preparedness; and
 2 “(K) any other service as determined by such
 3 agency.”.

4 **SEC. 18. STATE PLANS.**

5 Section 307(a) of the Older Americans Act of 1965
 6 (42 U.S.C. 3027(a)) is amended—

7 (1) in paragraph (2)(C), by striking “section
 8 306(b)” and inserting “section 306(e”;

9 (2) in paragraph (4), by striking “, with par-
 10 ticular attention to low-income minority individuals
 11 and older individuals residing in rural areas” and in-
 12 serting “(with particular attention to low-income mi-
 13 nority older individuals, older individuals with lim-
 14 ited English proficiency, and older individuals resid-
 15 ing in rural areas)”;

16 (3) by striking paragraph (15);

17 (4) by redesignating paragraph (14) as para-
 18 graph (15);

19 (5) by inserting after paragraph (13) the fol-
 20 lowing:

21 “(14) The plan shall, with respect to the fiscal
 22 year preceding the fiscal year for which such plan is
 23 prepared—

24 “(A) identify the number of low-income
 25 minority older individuals in the State, includ-

1 ing the number of low-income minority older in-
 2 dividuals with limited English proficiency; and

3 “~~(B)~~ describe the methods used to satisfy
 4 the service needs of the low-income minority
 5 older individuals described in subparagraph (A),
 6 including the plan to meet the needs of low-in-
 7 come minority older individuals with limited
 8 English proficiency.”;

9 ~~(6)~~ in clauses (ii) and (iii) of paragraph ~~(16)~~(A)
 10 by striking “(with particular attention to low-income
 11 minority individuals and older individuals residing in
 12 rural areas)” each place it appears and inserting
 13 “(with particular attention to low-income older indi-
 14 viduals, including low-income minority older individ-
 15 uals, older individuals with limited English pro-
 16 ficiency, and older individuals residing in rural
 17 areas)”;

18 ~~(7)~~ by adding at the end the following:

19 “~~(27)~~ The plan shall provide assurances that
 20 area agencies on aging will provide, to the extent
 21 feasible, for the furnishing of services under this
 22 Act, consistent with self-directed care.

23 “~~(28)~~(A) The plan shall include, at the election
 24 of the State, an assessment of how prepared the
 25 State is, under the State’s statewide service delivery

1 model, for a change in the number of older individ-
2 uals during the 10-year period following the fiscal
3 year for which the plan is submitted.

4 “(B) Such assessment may include—

5 “(i) the projected change in the number of
6 older individuals in the State;

7 “(ii) an analysis of how such change may
8 affect such individuals, including individuals
9 with low incomes, individuals with great eco-
10 nomic need, minority older individuals, older in-
11 dividuals residing in rural areas, and older indi-
12 viduals with limited English proficiency;

13 “(iii) an analysis of how the programs,
14 policies, and services provided by the State can
15 be improved, including coordinating with area
16 agencies on aging, and how resource levels can
17 be adjusted to meet the needs of the changing
18 population of older individuals in the State; and

19 “(iv) an analysis of how the change in the
20 number of individuals age 85 and older in the
21 State is expected to affect the need for sup-
22 portive services.

23 “(29) The plan shall include information detail-
24 ing how the State will coordinate activities, and de-
25 velop long-range emergency preparedness plans, with

1 area agencies on aging, local emergency response
2 agencies, relief organizations, local governments, and
3 any other institutions that have responsibility for
4 disaster relief service delivery.

5 “(30) The plan shall include information de-
6 scribing the involvement of the head of the State
7 agency in the development, revision, and implemen-
8 tation of emergency preparedness plans, including
9 the State Public Health Emergency Preparedness
10 and Response Plan.

11 “(31) The plan shall provide that the State
12 shall implement an Aging and Disability Resource
13 Center—

14 “(A) to serve as a visible and trusted
15 source of information on the full range of op-
16 tions for long-term care, including both institu-
17 tional and home and community-based care,
18 that are available in the State;

19 “(B) to provide personalized and con-
20 sumer-friendly assistance to empower individ-
21 uals to make informed decisions about their
22 long-term care options;

23 “(C) to provide coordinated and stream-
24 lined access to all publicly funded long-term
25 care options so that consumers can obtain the

1 care they need through a single intake, assess-
 2 ment, and eligibility determination process;

3 “(D) to help individuals to plan ahead for
 4 their long-term care needs; and

5 “(E) to assist, in coordination with the en-
 6 tity carrying out the health insurance informa-
 7 tion, counseling, and assistance program (re-
 8 ceiving funding under section 4360 of the Om-
 9 nibus Budget Reconciliation Act of 1990 (42
 10 U.S.C. 1395b-4)) in the State, beneficiaries,
 11 and prospective beneficiaries, under the Medi-
 12 care program established under title XVIII of
 13 the Social Security Act (42 U.S.C. 1395 et
 14 seq.) in understanding and accessing prescrip-
 15 tion drug and preventative health benefits
 16 under the provisions of, and amendments made
 17 by, the Medicare Prescription Drug, Improve-
 18 ment, and Modernization Act of 2003.”.

19 **SEC. 19. PAYMENTS.**

20 Section 309(b)(2) of the Older Americans Act of
 21 1965 (42 U.S.C. 3029(b)(2)) is amended by striking “the
 22 non-Federal share required prior to fiscal year 1981” and
 23 inserting “10 percent of the cost of the services specified
 24 in section 304(d)(1)(D)”.

1 **SEC. 20. NUTRITION SERVICES INCENTIVE PROGRAM.**

2 Section 311 of the Older Americans Act of 1965 (42
3 U.S.C. 3030a) is amended—

4 (1) in subsection (b), by adding at the end the
5 following:

6 “(3) Each State agency and grantee under title VI
7 shall promptly and equitably disburse amounts received
8 under this subsection to recipients of grants and con-
9 tracts.”;

10 (2) in subsection (c)—

11 (A) in paragraph (1), by inserting “, in-
12 cluding bonus commodities,” after “agricultural
13 commodities”;

14 (B) in paragraph (2), by inserting “, in-
15 cluding bonus commodities,” after “food com-
16 modities”; and

17 (C) in paragraph (3), by inserting “, in-
18 cluding bonus commodities,” after “Dairy prod-
19 ucts”;

20 (3) in subsection (d)(4), by inserting “and
21 grantee under title VI” after “State agency”; and

22 (4) in subsection (e), by striking “2001” and
23 inserting “2007”.

24 **SEC. 21. CONSUMER CONTRIBUTIONS.**

25 Section 315 of the Older Americans Act of 1965 (42
26 U.S.C. 3030e-2) is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) by striking “provided that” and in-
4 serting “if”; and

5 (ii) by adding at the end the fol-
6 lowing: “Such contributions shall be en-
7 couraged for individuals whose self-de-
8 clared income is at or above 200 percent of
9 the poverty line, at contribution levels
10 based on the actual cost of services.”; and

11 (B) in paragraph (4)(E), by inserting “and
12 to supplement (not supplant) funds received
13 under this Act” after “given”;

14 (2) in subsection (c)(2), by striking “(with par-
15 ticular attention to low-income minority individuals
16 and older individuals residing in rural areas)” and
17 inserting “(with particular attention to low-income
18 older individuals, including low-income minority
19 older individuals, older individuals with limited
20 English proficiency, and older individuals residing in
21 rural areas)”;

22 (3) in subsection (d), by striking “with par-
23 ticular attention to low-income and minority older
24 individuals and older individuals residing in rural
25 areas” and inserting “(with particular attention to

1 low-income older individuals, including low-income
 2 minority older individuals, older individuals with lim-
 3 ited English proficiency, and older individuals resid-
 4 ing in rural areas)’’.

5 **SEC. 22. SUPPORTIVE SERVICES AND SENIOR CENTERS.**

6 Section 321(a) of the Older Americans Act of 1965
 7 (~~42 U.S.C. 3030d(a)~~) is amended—

8 (1) in paragraph (8), by inserting ‘‘(including
 9 mental health screening)’’ after ‘‘screening’’;

10 (2) in paragraph (11) by striking ‘‘services’’
 11 and inserting ‘‘provision of devices and services (in-
 12 cluding provision of assistive technology devices and
 13 assistive technology services)’’;

14 (3) in paragraph (14)(B) by inserting ‘‘(includ-
 15 ing mental health)’’ after ‘‘health’’;

16 (4) in paragraph (22) by striking the period at
 17 the end and inserting a semicolon;

18 (5) by redesignating paragraph (23) as para-
 19 graph (24); and

20 (6) by inserting after paragraph (22) the fol-
 21 lowing:

22 ‘‘(23) services designed to support States, area
 23 agencies on aging, and local service providers in ear-
 24 rying out and coordinating activities for older indi-
 25 viduals with respect to mental health services, in-

1 cluding outreach for, education concerning, and
 2 screening for such services, and referral to such
 3 services for treatment; and”.

4 **SEC. 23. NUTRITION SERVICES.**

5 After the part heading of part C of title III of the
 6 Older Americans Act of 1965 (42 U.S.C. 3030e et seq.);
 7 insert the following:

8 **“SEC. 330. PURPOSE.**

9 “It is the purpose of this part to promote socializa-
 10 tion and the health and well-being of older individuals by
 11 assisting such individuals to gain access to nutrition serv-
 12 ices to delay the onset of adverse health conditions.”.

13 **SEC. 24. CONGREGATE NUTRITION PROGRAM.**

14 Section 331 of the Older Americans Act of 1965 (42
 15 U.S.C. 3030e) is amended—

16 (1) by striking “projects—” and inserting
 17 “projects that—”;

18 (2) in paragraph (1) by striking “which” the
 19 first place it appears;

20 (3) in paragraph (2), by striking “which”; and

21 (4) by striking paragraph (3) and inserting the
 22 following:

23 “(3) provide nutrition education, nutrition
 24 counseling, and other nutrition services, as appro-
 25 priate, based on the needs of meal participants.”.

1 **SEC. 25. HOME DELIVERED NUTRITION SERVICES.**

2 Section 336 of the Older Americans Act of 1965 (42
3 U.S.C. 3030f) is amended to read as follows:

4 **~~“SEC. 336. PROGRAM AUTHORIZED.~~**

5 ~~“The Assistant Secretary shall establish and carry~~
6 ~~out a program to make grants to States under State plans~~
7 ~~approved under section 307 for the establishment and op-~~
8 ~~eration of nutrition projects for older individuals that pro-~~
9 ~~vide—~~

10 ~~“(1) on 5 or more days a week (except in a~~
11 ~~rural area where such frequency is not feasible (as~~
12 ~~defined by the Assistant Secretary by rule) and a~~
13 ~~lesser frequency is approved by the State agency) at~~
14 ~~least 1 home delivered meal per day, which may con-~~
15 ~~sist of hot, cold, frozen, dried, canned, fresh, or sup-~~
16 ~~plemental foods and any additional meals that the~~
17 ~~recipient of a grant or contract under this subpart~~
18 ~~elects to provide; and~~

19 ~~“(2) nutrition education, nutrition counseling,~~
20 ~~and other nutrition services as appropriate, based on~~
21 ~~the needs of meal recipients.”.~~

22 **SEC. 26. CRITERIA.**

23 Section 337 of the Older Americans Act of 1965 (42
24 U.S.C. 3030g) is amended to read as follows:

1 **~~“SEC. 337. CRITERIA.~~**

2 ~~“The Assistant Secretary, in consultation with recog-~~
 3 ~~nized experts in the fields of nutrition science, dietetics,~~
 4 ~~meal planning and food service management, and aging,~~
 5 ~~shall develop minimum criteria of efficiency and quality~~
 6 ~~for the furnishing of home delivered meal services for~~
 7 ~~projects described in section 336.”.~~

8 **~~SEC. 27. NUTRITION.~~**

9 ~~Section 339 of the Older Americans Act of 1965 (42~~
 10 ~~U.S.C. 3030g-21) is amended—~~

11 ~~(1) in paragraph (1), to read as follows:~~

12 ~~“(1) solicit the advice and expertise of a dieti-~~
 13 ~~tian or other individual with education and training~~
 14 ~~in nutrition science or, if such an individual is not~~
 15 ~~available, an individual with comparable expertise in~~
 16 ~~the planning of nutritional services, and”;~~ and

17 ~~(2) in paragraph (2)—~~

18 ~~(A) in subparagraph (A)(i), to read as fol-~~
 19 ~~lows:~~

20 ~~“(i) comply with the most recent Die-~~
 21 ~~tary Guidelines for Americans, published~~
 22 ~~by the Secretary and the Secretary of Ag-~~
 23 ~~riculture, and”;~~ and

24 ~~(B) in subparagraph (D), by inserting~~
 25 ~~“joint” after “encourages”;~~ and

1 ~~(C)~~ in subparagraph ~~(G)~~, to read as fol-
 2 lows:

3 ~~“(G) ensures that meal providers solicit~~
 4 ~~the advice and expertise of—~~

5 ~~“(i) a dietitian or other individual de-~~
 6 ~~scribed in paragraph (1);~~

7 ~~“(ii) meal participants; and~~

8 ~~“(iii) other individuals knowledgeable~~
 9 ~~with regard to the needs of older individ-~~
 10 ~~uals;”;~~ and

11 ~~(D)~~ in subparagraph ~~(I)~~, by striking “and”
 12 at the end; and

13 ~~(E)~~ in subparagraph ~~(J)~~, to read as fol-
 14 lows:

15 ~~“(J) provides for nutrition screening and~~
 16 ~~nutrition education; and nutrition assessment~~
 17 ~~and counseling if appropriate; and~~

18 ~~“(K) encourages individuals who distribute~~
 19 ~~nutrition services under subpart 2 to provide; to~~
 20 ~~homebound older individuals; available medical~~
 21 ~~information approved by health care profes-~~
 22 ~~sionals; such as informational brochures and in-~~
 23 ~~formation on how to get vaccines; including vac-~~
 24 ~~cines for influenza; pneumonia; and shingles; in~~
 25 ~~the individuals’ communities.”.~~

1 **SEC. 28. STUDY OF NUTRITION PROJECTS.**

2 ~~(a) STUDY.—~~

3 ~~(1) IN GENERAL.—~~The Assistant Secretary for
 4 Aging shall use funds allocated in section 206(g) of
 5 the Older Americans Act of 1965 (42 U.S.C.
 6 3017(g)) to enter into a contract with the Food and
 7 Nutrition Board of the Institute of Medicine of the
 8 National Academy of Sciences, for the purpose of es-
 9 tablishing an independent panel of experts that will
 10 conduct an evidence-based study of the nutrition
 11 projects authorized under such Act.

12 ~~(2) STUDY.—~~Such study shall, to the extent
 13 data are available, include—

14 ~~(A)~~ an evaluation of the effect of the nutri-
 15 tion projects authorized by such Act on—

16 ~~(i)~~ improvement of the health status,
 17 including nutritional status, of participants
 18 in the projects;

19 ~~(ii)~~ prevention of hunger and food in-
 20 security of the participants; and

21 ~~(iii)~~ continuation of the ability of the
 22 participants to live independently;

23 ~~(B)~~ a cost-benefit analysis of nutrition
 24 projects authorized by such Act, including the
 25 potential to affect costs of the Medicaid pro-

gram under title XIX of the Social Security Act
(42 U.S.C. 1396 et seq.); and

~~(C)~~ an analysis of how nutrition projects
authorized by such Act may be modified to im-
prove the outcomes described in subparagraph
~~(A)~~, including by improving the nutritional
quality of the meals provided through the
projects and undertaking other potential strate-
gies to improve the nutritional status of the
participants.

~~(b)~~ REPORTS.—

~~(1)~~ REPORT TO THE ASSISTANT SECRETARY.—

The panel described in subsection (a) shall submit to
the Assistant Secretary a report containing the re-
sults of the evidence-based study described in sub-
section (a), including any recommendations resulting
from the analysis described in subsection (a)(2)(C).

~~(2)~~ REPORT TO CONGRESS.—The Assistant

Secretary shall submit a report containing the re-
sults described in paragraph (1) to the Committee
on Education and the Workforce of the House of
Representatives and the Committee on Health, Edu-
cation, Labor, and Pensions of the Senate.

~~(c)~~ TIMING.—The Food and Nutrition Board shall

establish the independent panel of experts described in

1 subsection (a) not later than 90 days after the date of
 2 the enactment of this Act. The panel shall submit the re-
 3 port described in subsection (b)(1) to the Assistant Sec-
 4 retary not later than 24 months after the date of the en-
 5 actment of this Act.

6 **SEC. 29. IMPROVING INDOOR AIR QUALITY IN BUILDINGS**

7 **WHERE OLDER INDIVIDUALS CONGREGATE.**

8 Section 361 of the Older Americans Act of 1965 (42
 9 U.S.C. 3030m) is amended by adding at the end the fol-
 10 lowing:

11 “(e) The Assistant Secretary shall work in consulta-
 12 tion with qualified experts to provide information on meth-
 13 ods of improving indoor air quality in buildings where
 14 older individuals congregate.”.

15 **SEC. 30. CAREGIVER SUPPORT PROGRAM DEFINITIONS.**

16 Section 372 of the Older Americans Act of 1965 (42
 17 U.S.C. 3030s) is amended—

18 (1) in paragraph (1), by inserting “or an adult
 19 child with mental retardation or a related develop-
 20 mental disability” after “age”;

21 (2) in paragraph (2), by inserting before the pe-
 22 riod the following: “or an individual with Alz-
 23 heimer’s disease or a related disorder with neuro-
 24 logical and organic brain dysfunction who is 50
 25 years of age or older”;

1 ~~(3)~~ in paragraph ~~(3)~~—

2 (A) by striking “child” the first place it
3 appears and inserting “child (including an adult
4 child with mental retardation or a related devel-
5 opmental disability)”;

6 (B) by striking “a child by blood or mar-
7 riage” and inserting “such a child by blood,
8 marriage, or adoption”; and

9 (C) by striking “60” and inserting “55”;

10 (4) by redesignating paragraphs (2) and (3) as
11 paragraphs ~~(3)~~ and (4), respectively; and

12 (5) by inserting after paragraph (1) the fol-
13 lowing:

14 “(2) DEVELOPMENTAL DISABILITY.—The term
15 ‘developmental disability’ has the meaning given the
16 term in section 102 of the Developmental Disabil-
17 ities Assistance and Bill of Rights Act of 2000 (42
18 U.S.C. 15002).”.

19 **SEC. 31. CAREGIVER SUPPORT PROGRAM.**

20 Section ~~373~~ of the National Family Support Care-
21 giver Act (42 U.S.C. ~~3030s–1~~) is amended—

22 (1) in subsection (b)~~(3)~~, by striking “caregivers
23 to assist” and all that follows through the end and
24 inserting the following: “assist the caregivers in the
25 areas of health, nutrition, and financial literacy, and

1 in making decisions and solving problems relating to
 2 their caregiving roles;”;

3 (2) in subsection (c)(2)—

4 (A) by striking “(as defined” and all that
 5 follows and inserting a period; and

6 (B) by adding at the end the following: “In
 7 providing services for family caregivers under
 8 this subpart, the State shall give priority for
 9 services to family caregivers who provide care
 10 for older individuals.”; and

11 (3) in subsection (d), to read as follows:

12 “(d) USE OF VOLUNTEERS.—In carrying out this
 13 subpart, each area agency on aging shall make use of
 14 trained volunteers to expand the provision of the available
 15 services described in subsection (b) and shall, if possible,
 16 work in coordination with entities carrying out volunteer
 17 programs (including programs administered by the Cor-
 18 poration for National and Community Service) designed
 19 to provide training, placement, and stipends for volunteers
 20 in community service settings.”; and

21 (4) in subsection (e)(3), by adding at the end
 22 the following: “The reports shall describe any mech-
 23 anisms used in the State to provide to persons who
 24 are family caregivers, or grandparents or older indi-
 25 viduals who are relative caregivers, information

1 about and access to various services so that the per-
 2 sons can better carry out their care responsibil-
 3 ities.”; and

4 (5) in subsection (f)(1), by striking “2001
 5 through 2005” and inserting “2007, 2008, 2009,
 6 2010, and 2011”.

7 **SEC. 32. ACTIVITIES AND PROGRAMS OF NATIONAL SIG-**
 8 **NIFICANCE.**

9 Section 376(a) of the National Family Support Care-
 10 giver Act (42 U.S.C. 3030s–12(a)) is amended—

11 (1) by striking the title heading and inserting
 12 the following:

13 **“SEC. 376. ACTIVITIES AND PROGRAMS OF NATIONAL SIG-**
 14 **NIFICANCE.”;**

15 (2) by striking “(a) IN GENERAL.—”;

16 (3) by striking “shall” and inserting “may”;

17 (4) by striking “program” and inserting “ac-
 18 tivities that include”;

19 (5) by striking “research.” and inserting “re-
 20 search, and programs that include—

21 “(1) multigenerational programs, including pro-
 22 grams that provide supports for grandparents and
 23 other older individuals who are relative caregivers
 24 (as defined in section 372) raising children (such as
 25 kinship navigator programs), and programs that

1 sustain and replicate innovative multigenerational
 2 family support programs involving volunteers who
 3 are older individuals;

4 “(2) programs providing support and informa-
 5 tion to families who have a child with a disability or
 6 chronic illness; and to other families in need of fam-
 7 ily support programs;

8 “(3) programs addressing unique issues faced
 9 by rural caregivers;

10 “(4) programs focusing on the needs of older
 11 individuals with Alzheimer’s disease and related de-
 12 mentia and their caregivers; and

13 “(5) programs supporting caregivers in the
 14 roles the caregivers carry out in health promotion
 15 and disease prevention.”; and

16 (6) by striking subsection (b).

17 **SEC. 33. GRANT PROGRAMS.**

18 Section 411 of the Older Americans Act of 1965 (42
 19 U.S.C. 3032) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (8), by striking “and” at
 22 the end;

23 (B) by redesignating paragraph (9) as
 24 paragraph (11); and

1 (C) by inserting after paragraph (8) the
2 following:

3 “(9) planning activities to prepare communities
4 for the aging of the population, which activities may
5 include—

6 “(A) efforts to assess the aging population;

7 “(B) activities to coordinate the activities
8 of State and local agencies in order to meet the
9 needs of older individuals; and

10 “(C) training and technical assistance to
11 support States, area agencies on aging, and
12 tribal organizations receiving grants under part
13 A of title VI, in engaging in community plan-
14 ning activities; and

15 “(10) the development, implementation, and as-
16 sessment of technology-based service models and
17 best practices, to support the use of health moni-
18 toring and assessment technologies, communication
19 devices, assistive technologies, and other technologies
20 that may remotely connect family and professional
21 caregivers to frail older individuals residing in home
22 and community-based settings or rural areas.”.

23 **SEC. 34. CAREER PREPARATION FOR THE FIELD OF AGING.**

24 Section 412(a) of the Older Americans Act of 1965
25 (42 U.S.C. 3032a(a)) is amended to read as follows:

1 “(a) GRANTS.—The Assistant Secretary shall make
 2 grants to institutions of higher education, including his-
 3 torically Black colleges or universities, Hispanic-serving
 4 institutions, Hispanic Centers of Excellence in Applied
 5 Gerontology, and other educational institutions that serve
 6 the needs of minority students, to provide education and
 7 training that prepare students for careers in the field of
 8 aging.”.

9 **SEC. 35. HEALTH CARE SERVICE DEMONSTRATION**
 10 **PROJECTS IN RURAL AREAS.**

11 Section 414 of the Older Americans Act of 1965 (42
 12 U.S.C. 3032e) is amended—

13 (1) in subsection (a), by inserting “mental
 14 health care,” after “adult day health care,”; and

15 (2) in subsection (b)(1)(B)(i), by inserting
 16 “mental health,” after “public health,”.

17 **SEC. 36. TECHNICAL ASSISTANCE AND INNOVATION TO IM-**
 18 **PROVE TRANSPORTATION FOR OLDER INDI-**
 19 **VIDUALS.**

20 Section 416 of the Older Americans Act of 1965 (42
 21 U.S.C. 3032e) is amended to read as follows:

1 **“SEC. 416. TECHNICAL ASSISTANCE AND INNOVATION TO**
 2 **IMPROVE TRANSPORTATION FOR OLDER IN-**
 3 **DIVIDUALS.**

4 ~~“(a) IN GENERAL.—~~The Secretary may award grants
 5 or contracts to nonprofit organizations to improve trans-
 6 portation services for older individuals.

7 ~~“(b) USE OF FUNDS.—~~

8 ~~“(1) IN GENERAL.—~~A nonprofit organization
 9 receiving a grant or contract under subsection (a)
 10 shall use the funds received through such grant or
 11 contract to carry out a demonstration project, or to
 12 provide technical assistance to assist local transit
 13 providers, area agencies on aging, senior centers,
 14 and local senior support groups, to encourage and
 15 facilitate coordination of Federal, State, and local
 16 transportation services and resources for older indi-
 17 viduals. The organization may use the funds to de-
 18 velop and carry out an innovative transportation
 19 demonstration project to create transportation serv-
 20 ices for older individuals.

21 ~~“(2) SPECIFIC ACTIVITIES.—~~In carrying out a
 22 demonstration project or providing technical assist-
 23 ance under paragraph (1) the organization may
 24 carry out activities that include—

25 ~~“(A) developing innovative approaches for~~
 26 ~~improving access by older individuals to trans-~~

portation services, including volunteer driver programs, economically sustainable transportation programs, and programs that allow older individuals to transfer their automobiles to a provider of transportation services in exchange for the services;

“(B) preparing information on transportation options and resources for older individuals and organizations serving such individuals, and disseminating the information by establishing and operating a toll-free telephone number;

“(C) developing models and best practices for providing comprehensive integrated transportation services for older individuals, including services administered by the Secretary of Transportation, by providing ongoing technical assistance to agencies providing services under title III and by assisting in coordination of public and community transportation services; and

“(D) providing special services to link seniors to transportation services not provided under title III.

“(e) ECONOMICALLY SUSTAINABLE TRANSPORTATION.—In this section, the term ‘economically sustain-

1 able transportation' means demand responsive transpor-
 2 tation for older individuals—

3 “(1) that may be provided through volunteers;
 4 and

5 “(2) that the provider will provide without re-
 6 ceiving Federal or other public financial assistance;
 7 after a period of not more than 5 years of providing
 8 the services under this section.”.

9 **SEC. 37. COMMUNITY PLANNING.**

10 Title IV of the Older Americans Act of 1965 is
 11 amended by inserting after section 416 (42 U.S.C. 3032e)
 12 the following:

13 **“SEC. 416A. COMMUNITY PLANNING FOR THE AGING POPU-
 14 LATION.**

15 “The Secretary may establish, either directly or
 16 through grants or contracts, a national technical assist-
 17 ance program to assist States and area agencies on aging
 18 funded under this Act in planning efforts to prepare com-
 19 munities for the aging of the population.”.

20 **SEC. 38. DEMONSTRATION, SUPPORT, AND RESEARCH
 21 PROJECTS FOR MULTIGENERATIONAL AC-
 22 TIVITIES AND CIVIC ENGAGEMENT ACTIVI-
 23 TIES.**

24 Section 417 of the Older Americans Act of 1965 (42
 25 U.S.C. 3032f) is amended to read as follows:

1 **“SEC. 417. DEMONSTRATION, SUPPORT, AND RESEARCH**
2 **PROJECTS FOR MULTIGENERATIONAL AC-**
3 **TIVITIES AND CIVIC ENGAGEMENT ACTIVI-**
4 **TIES.**

5 **“(a) GRANTS AND CONTRACTS.—**The Assistant Sec-
6 retary shall award grants and enter into contracts with
7 eligible organizations to—

8 **“(1)** conduct productivity and cost-benefit re-
9 search to determine the effectiveness of engaging
10 older individuals in paid and unpaid positions with
11 public and nonprofit organizations;

12 **“(2)** develop a national agenda and blueprint
13 for creating paid and unpaid positions for older indi-
14 viduals with public and nonprofit organizations to
15 increase the capacity of the organizations to provide
16 needed services to communities;

17 **“(3)** carry out demonstration and support
18 projects to provide older individuals with
19 multigenerational activities, and civic engagement
20 activities, designed to meet critical community
21 needs; and

22 **“(4)** carry out demonstration projects to coordi-
23 nate multigenerational activities and civic engage-
24 ment activities, and facilitate development of and
25 participation in multigenerational activities.

1 “(b) USE OF FUNDS.—An eligible organization shall
 2 use funds made available under a grant awarded, or a con-
 3 tract entered into, under subsection (a)—

4 “(1)(A) to conduct the research described in
 5 subsection (a)(1);

6 “(B) to develop the national agenda and blue-
 7 print described in subsection (a)(2); or

8 “(C) to carry out a demonstration or support
 9 project described in subsection (a)(3);

10 “(D) to carry out a demonstration project de-
 11 scribed in subsection (a)(4); and

12 “(2) to evaluate the project involved in accord-
 13 ance with subsection (f).

14 “(c) PREFERENCE.—In awarding grants and enter-
 15 ing into contracts under subsection (a) to carry out a dem-
 16 onstration or support project described in subsection
 17 (a)(3), the Assistant Secretary shall give preference to—

18 “(1) eligible organizations with a demonstrated
 19 record of carrying out multigenerational activities or
 20 civic engagement activities;

21 “(2) eligible organizations proposing
 22 multigenerational activity service projects that will
 23 serve older individuals and communities with the
 24 greatest need (with particular attention to low-in-
 25 come minority older individuals, older individuals

1 with limited English proficiency, older individuals re-
 2 siding in rural areas, and low-income minority com-
 3 munities);

4 “(3) eligible organizations proposing civic en-
 5 gagement activity service projects that will serve
 6 communities with the greatest need; and

7 “(4) eligible organizations with the capacity to
 8 develop meaningful roles and assignments that use
 9 the time, skills, and experience of older individuals
 10 to serve public and nonprofit organizations.

11 “(d) APPLICATION.—To be eligible to receive a grant
 12 or a contract under subsection (a), an organization shall
 13 submit an application to the Assistant Secretary at such
 14 time, in such manner, and accompanied by such informa-
 15 tion as the Assistant Secretary may reasonably require.

16 “(e) ELIGIBLE ORGANIZATIONS.—Organizations eli-
 17 gible to receive a grant or enter into a contract under sub-
 18 section (a)—

19 “(1) to carry out activities described in sub-
 20 section (a)(1) shall be research or academic organi-
 21 zations with the capacity to conduct productivity and
 22 cost-benefit research described in subsection (a)(1);

23 “(2) to carry out activities described in sub-
 24 section (a)(2) shall be organizations with the capae-

1 ity to develop the national agenda and blueprint de-
 2 scribed in subsection (a)(2);

3 ~~“(3) to carry out activities described in sub-~~
 4 ~~section (a)(3) shall be organizations that provide~~
 5 ~~paid or unpaid positions for older individuals to~~
 6 ~~serve in multigenerational activities; or civic engage-~~
 7 ~~ment activities; designed to meet critical community~~
 8 ~~needs and use the full range of time, skills, and ex-~~
 9 ~~perience of older individuals; and~~

10 ~~“(4) to carry out activities described in sub-~~
 11 ~~section (a)(4) shall be organizations with the capac-~~
 12 ~~ity to facilitate and coordinate activities as described~~
 13 ~~in subsection (a)(4), through the use of~~
 14 ~~multigenerational coordinators.~~

15 ~~“(f) LOCAL EVALUATION AND REPORT.—~~

16 ~~“(1) EVALUATION.—Each organization receiv-~~
 17 ~~ing a grant or a contract under subsection (a) to~~
 18 ~~carry out a demonstration or support project under~~
 19 ~~subsection (a)(3) shall evaluate the~~
 20 ~~multigenerational activities or civic engagement ac-~~
 21 ~~tivities assisted under the project to determine the~~
 22 ~~effectiveness of the activities involved; the impact of~~
 23 ~~such activities on the community being served and~~
 24 ~~the organization providing the activities; and the im-~~

1 pact of such activities on older individuals involved
2 in such project.

3 ~~“(2) REPORT.—The organization shall submit a~~
4 ~~report to the Assistant Secretary containing the~~
5 ~~evaluation not later than 6 months after the expira-~~
6 ~~tion of the period for which the grant or contract is~~
7 ~~in effect.~~

8 ~~“(g) REPORT TO CONGRESS.—Not later than 6~~
9 ~~months after the Assistant Secretary receives the reports~~
10 ~~described in subsection (f)(2), the Assistant Secretary~~
11 ~~shall prepare and submit to the Speaker of the House of~~
12 ~~Representatives and the President pro tempore of the Sen-~~
13 ~~ate a report that assesses the evaluations and includes,~~
14 ~~at a minimum—~~

15 ~~“(1) the names or descriptive titles of the dem-~~
16 ~~onstration, support, and research projects funded~~
17 ~~under subsection (a);~~

18 ~~“(2) a description of the nature and operation~~
19 ~~of the projects;~~

20 ~~“(3) the names and addresses of organizations~~
21 ~~that conducted the projects;~~

22 ~~“(4) in the case of demonstration and support~~
23 ~~projects carried out under subsection (a)(3), a de-~~
24 ~~scription of the methods and success of the projects~~

1 in recruiting older individuals as employees and vol-
 2 unteers to participate in the projects;

3 “(5) in the case of demonstration and support
 4 projects carried out under subsection (a)(3), a de-
 5 scription of the success of the projects in retaining
 6 older individuals involved in the projects as employ-
 7 ees and as volunteers;

8 “(6) in the case of demonstration and support
 9 projects carried out under subsection (a)(3), the rate
 10 of turnover of older individual employees and volun-
 11 teers in the projects;

12 “(7) a strategy for disseminating the findings
 13 resulting from the projects described in paragraph
 14 (1); and

15 “(8) any policy change recommendations relat-
 16 ing to the projects.

17 “(h) DEFINITIONS.—As used in this section:

18 “(1) CIVIC ENGAGEMENT ACTIVITY.—The term
 19 ‘civic engagement activity’ includes an opportunity
 20 that uses the time, skills, and experience of older in-
 21 dividuals, in paid or unpaid positions with a public
 22 or nonprofit organization, to help address the unmet
 23 human, educational, health care, environmental, and
 24 public safety needs and nurture and sustain active
 25 participation in community affairs.

1 “(2) MULTIGENERATIONAL ACTIVITY.—The
 2 term ‘multigenerational activity’ includes an oppor-
 3 tunity that uses the time, skills, and experience of
 4 older individuals, in paid or unpaid positions with a
 5 public or nonprofit organization, to serve as a men-
 6 tor or adviser in a child care program, a youth day
 7 care program, an educational assistance program, an
 8 at-risk youth intervention program, a juvenile delin-
 9 quency treatment program, a before- or after-school
 10 program, or a family support program.

11 “(3) MULTIGENERATIONAL COORDINATOR.—
 12 The term ‘multigenerational coordinator’ means a
 13 person who—

14 “(A) builds the capacity of public and non-
 15 profit organizations to develop meaningful roles
 16 and assignments, that use the time, skill, and
 17 experience of older individuals to serve those or-
 18 ganizations; and

19 “(B) nurtures productive, sustainable
 20 working relationships between—

21 “(i) individuals from the generations
 22 with older individuals; and

23 “(ii) individuals in younger genera-
 24 tions.”.

1 **SEC. 39. NATIVE AMERICAN PROGRAMS.**

2 Section 418(a)(2)(B)(i) of the Older Americans Act
3 of 1965 (42 U.S.C. 3032g)(a)(2)(B)(i)) is amended by in-
4 serting “(including mental health)” after “health”.

5 **SEC. 40. MULTIDISCIPLINARY CENTERS AND MULTIDISCI-**
6 **PLINARY SYSTEMS.**

7 Section 419 of the Older Americans Act of 1965 (42
8 U.S.C. 3032h) is amended—

9 (1) by striking the title and inserting the fol-
10 lowing:

11 **“SEC. 419. MULTIDISCIPLINARY CENTERS AND MULTIDISCI-**
12 **PLINARY SYSTEMS.”;**

13 (2)(A) in subsection (b)(2), by redesignating
14 subparagraphs (A) through (G) as clauses (i)
15 through (vii), respectively;

16 (B) in subsection (c)(2), by redesignating sub-
17 paragraphs (A) through (D) as clauses (i) through
18 (iv), respectively; and

19 (C) by aligning the margins of the clauses de-
20 scribed in subparagraphs (A) and (B) with the mar-
21 gins of clause (iv) of section 418(a)(2)(A) of such
22 Act;

23 (3)(A) in subsection (b), by redesignating para-
24 graphs (1) and (2) as subparagraphs (A) and (B),
25 respectively;

(B) in subsection (c), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(C) by aligning the margins of the subparagraphs described in subparagraphs (A) and (B) with the margins of subparagraph (D) of section 420(a)(1) of such Act;

(4) in subsection (a), by striking “(a)” and all that follows through “The” and inserting the following:

“(a) MULTIDISCIPLINARY CENTERS.—

“(1) PROGRAM AUTHORIZED.—The”;

(5) in subsection (b)—

(A) by striking the following:

“(b) USE OF FUNDS.—” and inserting the following:

“(2) USE OF FUNDS.—”; and

(B) by striking “subsection (a)” each place it appears and inserting “paragraph (1)”;

(6) in subsection (c)—

(A) by striking the following:

“(c) DATA.—” and inserting the following:

“(3) DATA.—”;

(B) by striking “subsection (a)” and inserting “paragraph (1)”;

1 (C) by striking “such subsection” and in-
 2 serting “such paragraph”; and

3 (D) by striking “paragraph (1)” and in-
 4 serting “subparagraph (A)”; and

5 (7) by adding at the end the following:

6 “(b) MULTIDISCIPLINARY HEALTH SERVICES IN
 7 COMMUNITIES.—

8 “(1) PROGRAM AUTHORIZED.—The Assistant
 9 Secretary shall make grants to States, on a competi-
 10 tive basis, for the development and operation of—

11 “(A) systems for the delivery of mental
 12 health screening and treatment services for
 13 older individuals who lack access to such serv-
 14 ices; and

15 “(B) programs to—

16 “(i) increase public awareness regard-
 17 ing the benefits of prevention and treat-
 18 ment of mental disorders in older individ-
 19 uals;

20 “(ii) reduce the stigma associated
 21 with mental disorders in older individuals
 22 and other barriers to the diagnosis and
 23 treatment of the disorders; and

1 “(iii) reduce age-related prejudice and
 2 discrimination regarding mental disorders
 3 in older individuals.

4 “(2) APPLICATION.—To be eligible to receive a
 5 grant under this subsection for a State, a State
 6 agency shall submit an application to the Assistant
 7 Secretary at such time, in such manner, and con-
 8 taining such information as the Assistant Secretary
 9 may require.

10 “(3) STATE ALLOCATION AND PRIORITIES.—A
 11 State agency that receives funds through a grant
 12 made under this subsection shall allocate the funds
 13 to area agencies on aging to carry out this sub-
 14 section in planning and service areas in the State.
 15 In allocating the funds, the State agency shall give
 16 priority to planning and service areas in the State—

17 “(A) that are medically underserved; and

18 “(B) in which there are a large number of
 19 older individuals.

20 “(4) AREA COORDINATION OF SERVICES WITH
 21 OTHER PROVIDERS.—In carrying out this part, to
 22 more efficiently and effectively deliver services to
 23 older individuals, each area agency on aging shall—

24 “(A) coordinate services described in para-
 25 graph (1) with other community agencies; and

1 voluntary organizations, providing similar or re-
 2 lated services; and

3 “(B) to the greatest extent practicable, in-
 4 tegrate outreach and educational activities with
 5 existing (as of the date of the integration)
 6 health care and social service providers serving
 7 older individuals in the planning and service
 8 area involved.

9 “(5) RELATIONSHIP TO OTHER FUNDING
 10 SOURCES.—Funds made available under this part
 11 shall supplement, and not supplant, any Federal,
 12 State, and local funds expended by a State or unit
 13 of general purpose local government (including an
 14 area agency on aging) to provide the services de-
 15 scribed in paragraph (1).

16 “(6) DEFINITION.—In this subsection, the term
 17 ‘mental health screening and treatment services’
 18 means patient screening, diagnostic services, care
 19 planning and oversight, therapeutic interventions,
 20 and referrals, that are—

21 “(A) provided pursuant to evidence-based
 22 intervention and treatment protocols (to the ex-
 23 tent such protocols are available) for mental
 24 disorders prevalent in older individuals; and

1 “(B) coordinated and integrated with the
 2 services of social service, mental health, and
 3 health care providers in an area in order to—
 4 “(i) improve patient outcomes; and
 5 “(ii) ensure, to the maximum extent
 6 feasible, the continuing independence of
 7 older individuals who are residing in the
 8 area.”.

9 **SEC. 41. COMMUNITY INNOVATIONS FOR AGING IN PLACE.**

10 Part A of title IV of the Older Americans Act of 1965
 11 (42 U.S.C. 3031 et seq.) is amended by adding at the end
 12 the following:

13 **“SEC. 422. COMMUNITY INNOVATIONS FOR AGING IN**
 14 **PLACE.**

15 “(a) **DEFINITIONS.**—In this section:

16 “(1) **ELIGIBLE ENTITY.**—The term ‘eligible en-
 17 tity’—

18 “(A) means a nonprofit health or social
 19 service organization, a community-based non-
 20 profit organization, an area agency on aging or
 21 other local government agency, a tribal organi-
 22 zation, or another entity that—

23 “(i) the Assistant Secretary deter-
 24 mines to be appropriate to carry out a
 25 project under this part; and

1 “(ii) demonstrates a record of, and ex-
 2 perience in, providing or administering
 3 group and individual health and social
 4 services for older individuals; and

5 “(B) does not include an entity providing
 6 housing under the congregate housing services
 7 program carried out under section 802 of the
 8 Cranston-Gonzalez National Affordable Hous-
 9 ing Act (42 U.S.C. 8011) or the multifamily
 10 service coordinator program carried out under
 11 section 202(g) of the Housing Act of 1959 (42
 12 U.S.C. 1701q(g)).

13 “(2) NATURALLY OCCURRING RETIREMENT
 14 COMMUNITY.—The term ‘Naturally Occurring Re-
 15 tirement Community’ means a residential building, a
 16 housing complex, an area (including a rural area) of
 17 single family residences, or a neighborhood com-
 18 posed of age-integrated housing—

19 “(A) where—

20 “(i) 40 percent of the heads of house-
 21 holds are older individuals; or

22 “(ii) a critical mass of older individ-
 23 uals exists, based on local factors which,
 24 taken in total, allow an organization to
 25 achieve efficiencies in the provision of

1 health and social services to older individ-
 2 uals living in the community; and

3 ~~“(B) that is not an institutional care or as-~~
 4 ~~sisted living setting.~~

5 ~~“(b) GRANTS.—~~

6 ~~“(1) IN GENERAL.—The Assistant Secretary~~
 7 ~~shall make grants to eligible entities to enable the~~
 8 ~~entities to pay for developing or carrying out model~~
 9 ~~aging in place projects. The projects shall permit~~
 10 ~~aging in place for older individuals, including such~~
 11 ~~individuals who reside in Naturally Occurring Re-~~
 12 ~~tirement Communities, which help to sustain the~~
 13 ~~independence of older individuals in communities~~
 14 ~~where the individuals have established personal, fam-~~
 15 ~~ily, and professional supportive networks. The enti-~~
 16 ~~ties shall provide comprehensive and coordinated~~
 17 ~~health and social services through the projects.~~

18 ~~“(2) GRANT PERIODS.—The Assistant Sec-~~
 19 ~~retary shall make the grants for periods of 3 years.~~

20 ~~“(c) APPLICATIONS.—~~

21 ~~“(1) IN GENERAL.—To be eligible to receive a~~
 22 ~~grant under subsection (b) for a project, an entity~~
 23 ~~shall submit an application to the Assistant Sec-~~
 24 ~~retary at such time, in such manner, and containing~~

1 such information as the Assistant Secretary may re-
2 quire.

3 ~~“(2) CONTENTS.—~~The application shall in-
4 clude—

5 ~~“(A) a detailed description of the entity’s~~
6 ~~experience in providing services to older individ-~~
7 ~~uals in age-integrated settings;~~

8 ~~“(B) a definition of the contiguous service~~
9 ~~area and a description of the project boundaries~~
10 ~~in which the older individuals reside or carry~~
11 ~~out activities to sustain their well-being;~~

12 ~~“(C) a description of how the entity will~~
13 ~~cooperate and coordinate planning and services,~~
14 ~~with agencies and organizations that provide~~
15 ~~publicly supported services for older individuals~~
16 ~~within the project boundaries, including the~~
17 ~~State agency and area agencies on aging with~~
18 ~~planning and service areas within the project~~
19 ~~boundaries;~~

20 ~~“(D) an assurance that the entity will seek~~
21 ~~to establish cooperative relationships with inter-~~
22 ~~ested local entities, including private agencies~~
23 ~~and businesses that provide health and social~~
24 ~~services, housing entities, community develop-~~

ment organizations, philanthropic organizations,
foundations, and other non-Federal entities;

“(E) a description of the entity’s protocol
for referral of residents who may require long-
term care services, including coordination with
local information and referral agencies and
Aging and Disability Resource Centers who
serve as single points of entry to public services;

“(F) a description of how the entity will
offer opportunities for older individuals to be
involved in the governance, oversight, and oper-
ation of the project;

“(G) an assurance that the entity will sub-
mit to the Assistant Secretary such evaluations
and reports as the Assistant Secretary may re-
quire; and

“(H) a plan for long-term sustainability of
the project.

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—An eligible entity that re-
ceives a grant under subsection (b) shall use the
funds made available through the grant to provide
and coordinate, through aging in place projects de-
scribed in subsection (b), services that include a
comprehensive and coordinated array of community-

1 based health and social services, which may include
 2 mental health services, for eligible older individuals.

3 ~~“(2) SERVICES.—~~The services described in
 4 paragraph (1) shall include—

5 ~~“(A) providing—~~

6 ~~“(i) case management, case assist-~~
 7 ~~ance, and social work services;~~

8 ~~“(ii) health care management and~~
 9 ~~health care assistance, including disease~~
 10 ~~prevention and health promotion services;~~

11 ~~“(iii) education, socialization, and rec-~~
 12 ~~reational activities; and~~

13 ~~“(iv) volunteer opportunities for~~
 14 ~~project participants; and~~

15 ~~“(B) coordinating the services provided~~
 16 ~~under title III for eligible older individuals~~
 17 ~~served by the project.~~

18 ~~“(3) PREFERENCE.—~~In carrying out an aging
 19 in place project, an eligible entity shall, to the extent
 20 practicable, serve communities of low-income individ-
 21 uals and operate or locate projects and services in or
 22 in close proximity to locations where large con-
 23 centrations of older individuals have aged in place
 24 and resided, such as Naturally Occurring Retirement
 25 Communities.

1 ~~“(4) SUPPLEMENT NOT SUPPLANT.—Funds~~
 2 made available to an eligible entity under this sec-
 3 tion shall be used to supplement, not supplant, any
 4 Federal, State, or other funds otherwise available to
 5 the entity to provide health and social services to eli-
 6 gible older individuals.

7 ~~“(e) COMPETITIVE GRANTS FOR TECHNICAL ASSIST-~~
 8 ANCE.—

9 ~~“(1) GRANTS.—The Assistant Secretary shall~~
 10 (or shall make a grant, on a competitive basis, to an
 11 eligible nonprofit organization, to enable the organi-
 12 zation to)—

13 ~~“(A) provide technical assistance to recipi-~~
 14 ents of grants under subsection (b); and

15 ~~“(B) carry out other duties, as determined~~
 16 by the Assistant Secretary.

17 ~~“(2) ELIGIBLE ORGANIZATION.—To be eligible~~
 18 to receive a grant under this subsection, an organi-
 19 zation shall be a nonprofit organization (including a
 20 partnership of nonprofit organizations), that—

21 ~~“(A) has experience and expertise in pro-~~
 22 viding technical assistance to a range of entities
 23 serving older individuals and experience evalu-
 24 ating and reporting on programs; and

1 “(B) has demonstrated knowledge of and
2 expertise in community-based health and social
3 services.”

4 “(3) APPLICATION.—To be eligible to receive a
5 grant under this subsection, an organization (includ-
6 ing a partnership of nonprofit organizations) shall
7 submit an application to the Assistant Secretary at
8 such time, in such manner, and containing such in-
9 formation as the Assistant Secretary may require,
10 including an assurance that the organization will
11 submit to the Assistant Secretary such evaluations
12 and reports as the Assistant Secretary may require.”

13 “(f) REPORT.—The Assistant Secretary shall annu-
14 ally prepare and submit a report to Congress that shall
15 include—

16 “(1) the findings resulting from the evaluations
17 of the model projects conducted under this section;

18 “(2) a description of recommended best prac-
19 tices regarding carrying out health and social service
20 projects for older individuals aging in place; and

21 “(3) recommendations for legislative or admin-
22 istrative action, as the Assistant Secretary deter-
23 mines appropriate.”

1 **SEC. 42. CHOICES FOR INDEPENDENCE DEMONSTRATION**
 2 **PROJECTS.**

3 Part A of title IV of the Older Americans Act of 1965
 4 (42 U.S.C. 3031 et seq.), as amended by section 41, is
 5 further amended by adding at the end the following:

6 **“SEC. 423. CHOICES FOR INDEPENDENCE DEMONSTRATION**
 7 **PROJECTS.**

8 “(a) **DEFINITIONS.**—In this section:

9 “(1) **CONSUMER.**—The term ‘consumer’ means
 10 an older individual, a family member of such indi-
 11 vidual, and any other person seeking information or
 12 assistance with respect to long-term care.

13 “(2) **HIGH-RISK INDIVIDUAL.**—The term ‘high-
 14 risk individual’ means an older individual who—

15 “(A) has a functional impairment affecting
 16 the individual’s activities of daily living;

17 “(B) is ineligible for the Medicaid program
 18 under title XIX of the Social Security Act (42
 19 U.S.C. 1396 et seq.); and

20 “(C) meets such income and functional
 21 status criteria as are determined to be appro-
 22 priate by the State involved and approved by
 23 the Assistant Secretary.

24 “(3) **QUALIFIED EXPENDITURES.**—The term
 25 ‘qualified expenditures’ means reported expenditures

1 of a State under this section that have been reviewed
 2 and approved by the Assistant Secretary.

3 ~~“(4) SERVICE COORDINATION.—The term ‘serv-~~
 4 ~~ice coordination’ means a coordinated approach~~
 5 ~~taken on behalf of high-risk older individuals to fa-~~
 6 ~~cilitate the development and implementation of a~~
 7 ~~long-term care plan and the choice and independence~~
 8 ~~of the individuals in securing long-term care.~~

9 ~~“(b) AUTHORITY.—The Assistant Secretary shall~~
 10 ~~make grants on a competitive basis, in accordance with~~
 11 ~~this section, to States to enable the States to pay for the~~
 12 ~~Federal share of the cost of modifying their systems of~~
 13 ~~long-term care in order to promote and facilitate—~~

14 ~~“(1) the choice and control of older individuals~~
 15 ~~and their families in securing long-term care;~~

16 ~~“(2) the coordination and cost-effectiveness of~~
 17 ~~State systems of long-term care;~~

18 ~~“(3) the provision of long-term care in home~~
 19 ~~and community-based settings; and~~

20 ~~“(4) the ability of individuals receiving long-~~
 21 ~~term care to remain as independent and self-suffi-~~
 22 ~~cient as possible.~~

23 ~~“(c) APPLICATIONS BY STATES.—For a State to be~~
 24 ~~eligible to receive a grant under this section, the Governor~~
 25 ~~of such State shall submit an application to the Assistant~~

1 Secretary, at such time, in such manner, and containing
 2 such information as the Assistant Secretary may specify,
 3 containing a plan for implementation of the component
 4 strategies described in subsection (d) and such other infor-
 5 mation and assurances as the Secretary determines to be
 6 appropriate.

7 “(d) USE OF FUNDS BY STATES.—

8 “(1) COMPONENT STRATEGIES.—A State that
 9 receives funds through a grant made under sub-
 10 section (b) shall use the funds to carry out a dem-
 11 onstration project under this section (directly or by
 12 grant or contract) by integrating into the State’s
 13 system of long-term care the component strategies
 14 described in paragraphs (2) through (5).

15 “(2) PUBLIC EDUCATION.—In carrying out the
 16 demonstration project, the State shall conduct activi-
 17 ties that shall include media campaigns, targeted
 18 mailings, and related activities, to help ensure that
 19 consumers are aware of—

20 “(A) the need to plan in advance for long-
 21 term care;

22 “(B) available public and private long-term
 23 care options, including private long-term care
 24 insurance; and

1 ~~“(C) sources of information and resources~~
 2 ~~related to long-term care, including the resource~~
 3 ~~centers described in paragraph (3).~~

4 ~~“(3) AGING AND DISABILITY RESOURCE CEN-~~
 5 ~~TERS.—~~

6 ~~“(A) IN GENERAL.—The State shall pro-~~
 7 ~~vide for community-level Aging and Disability~~
 8 ~~Resource Centers, which, consistent with sec-~~
 9 ~~tion 102(47) and subsection (f), shall provide—~~

10 ~~“(i) comprehensive information on~~
 11 ~~available public and private long-term care~~
 12 ~~programs, options, and resources;~~

13 ~~“(ii) personal counseling and service~~
 14 ~~coordination to assist consumers in assess-~~
 15 ~~ing their existing or anticipated long-term~~
 16 ~~care needs and circumstances, and devel-~~
 17 ~~oping and implementing a plan for long-~~
 18 ~~term care designed to meet their specific~~
 19 ~~needs and circumstances;~~

20 ~~“(iii) a convenient point of entry to~~
 21 ~~the range of publicly-supported long-term~~
 22 ~~care programs for which an individual may~~
 23 ~~be eligible, including the Medicaid program~~
 24 ~~under title XIX of the Social Security Act~~
 25 ~~(42 U.S.C. 1396 et seq.), and to such~~

1 other public benefit programs as the State
2 determines to be appropriate;

3 “(iv) a single process for consumer in-
4 take, assessment, and application for bene-
5 fits under the programs described in sub-
6 paragraph (C), including, where appro-
7 priate and feasible, facilitating the deter-
8 mination of an individual’s eligibility (in-
9 cluding facilitating that determination in
10 compliance with the requirements of title
11 XIX of the Social Security Act) under such
12 programs by collaborating with the appro-
13 priate programmatic office; and

14 “(v) the ability—

15 “(I) to respond immediately to a
16 request for assistance from an indi-
17 vidual or a family member of the indi-
18 vidual, in the event of a crisis situa-
19 tion that could result in placement of
20 such individual in an institutional care
21 setting; and

22 “(II) to provide (or coordinate
23 the provision of), such available short-
24 term assistance as would be necessary
25 and appropriate to temporarily pre-

1 clude the need for such institutional
 2 placement, until a plan for home and
 3 community-based long-term care can
 4 be developed and implemented.

5 “(B) TRAINING.—In providing for the
 6 Centers, the State shall ensure that the staff of
 7 the Centers is appropriately trained to under-
 8 stand the interactions between private long-
 9 term care insurance (especially insurance
 10 through long-term care partnership policies)
 11 and eligibility for benefits under the Medicaid
 12 program under title XIX of the Social Security
 13 Act (42 U.S.C. 1396 et seq.).

14 “(4) HEALTHY LIFESTYLE CHOICES.—The
 15 State shall, in accordance with standards established
 16 by the Assistant Secretary, provide for low-cost,
 17 community-level, evidence-based prevention pro-
 18 grams and related tools to assist older individuals
 19 and their family caregivers in learning about and
 20 making behavioral changes intended to reduce the
 21 risk of injury, disease, and disability among older in-
 22 dividuals.

23 “(5) COMMUNITY LIVING INCENTIVES.—

24 “(A) IN GENERAL.—The State shall pro-
 25 vide funding toward and otherwise assist with

1 the provision of home and community-based
2 long-term care to individuals at high risk for
3 placement in institutional care (referred to in
4 this paragraph as ‘high-risk individuals’). The
5 State shall ensure that individuals at greatest
6 risk for becoming eligible for benefits under the
7 Medicaid program receive priority for the home
8 and community-based long-term care.

9 “(B) LONG-TERM CARE PLAN.—The State
10 shall provide for assessments of the needs and
11 preferences of high-risk individuals with respect
12 to long-term care, and based on such assess-
13 ments, shall develop with such individuals and
14 their family members, caregivers, or legal rep-
15 resentatives a plan for long-term care for such
16 individuals, specifying the types of support, pro-
17 viders, budget, and, if the State elects, cost-
18 sharing contributions involved.

19 “(C) ALLOCATION OF FUNDS BASED ON
20 INDIVIDUAL BUDGETS.—The State shall ensure
21 that the funding described in subparagraph (A)
22 will be allocated among, and disbursed for, the
23 budgets of high-risk individuals under long-term
24 care plans developed for such individuals.

1 “(D) OPTION TO PROVIDE CONSUMER-DI-
2 RECTED CARE.—The State shall provide high-
3 risk individuals with the option to receive home
4 and community-based long-term care under this
5 paragraph in a manner that permits such indi-
6 viduals to direct and control, in conjunction
7 with a service coordinator, the selection, plan-
8 ning, budgeting, and purchasing of such care
9 (including the amount, duration, scope, pro-
10 viders, and location of such care), to the extent
11 determined appropriate and feasible under the
12 long-term care plan developed under subpara-
13 graph (B). The service coordinator shall assist
14 the high-risk individuals in purchasing a range
15 of long-term care services or supplies, not oth-
16 erwise available or eligible for payment through
17 an entity carrying out a Federal or State pro-
18 gram or a similar third party, from a qualified
19 provider that are delivered in home and commu-
20 nity-based settings and in a manner that best
21 meets the individuals’ needs and respects the
22 individuals’ preferences to remain in the least
23 restrictive setting possible.

24 “(e) FEDERAL SHARE.—The Federal share of the
25 cost of modifying systems of long-term systems care as

1 described in subsection (b) shall be not more than 75 per-
 2 cent of such cost (calculated on an annual basis as the
 3 State's qualified expenditures for such modifications for
 4 such year).

5 ~~“(f) SPECIAL PROVISIONS RELATING TO AGING AND~~
 6 ~~DISABILITY RESOURCE CENTERS.—A State shall ensure~~
 7 ~~that any Aging and Disability Resource Center shall—~~

8 ~~“(1) fully coordinate its activities with any~~
 9 ~~health insurance information, counseling, and assist-~~
 10 ~~ance (receiving funding under section 4360 of the~~
 11 ~~Omnibus Budget Reconciliation Act of 1990 (42~~
 12 ~~U.S.C. 1395b-4)) in the State;~~

13 ~~“(2) be subject to such controls as the Assist-~~
 14 ~~ant Secretary determines to be appropriate to ensure~~
 15 ~~there is no conflict of interest with respect to any re-~~
 16 ~~errals, for information or otherwise, made by the~~
 17 ~~Center for individuals receiving services through the~~
 18 ~~Center; and~~

19 ~~“(3) provide no long-term care services or sup-~~
 20 ~~plies, with the exception of case management serv-~~
 21 ~~ices provided through area agencies on aging as de-~~
 22 ~~scribed in section 306(a)(8).~~

23 ~~“(g) SPECIAL PROVISIONS RELATING TO OPTION TO~~
 24 ~~PROVIDE CONSUMER-DIRECTED CARE.—Payments made~~
 25 ~~for a high-risk individual under subsection (d)(5)(D) shall~~

1 not be included in the gross income of the high-risk indi-
 2 vidual for purposes of the Internal Revenue Code of 1986
 3 or be treated as income; be treated as assets or benefits;
 4 or otherwise be taken into account, for purposes of deter-
 5 mining the individual's eligibility for, the amount of bene-
 6 fits for the individual under, or the amount of cost-sharing
 7 required of the individual by, any other Federal or State
 8 program, other than the program carried out under this
 9 section.

10 “(h) TECHNICAL ASSISTANCE TO STATES.—The As-
 11 sistant Secretary, directly or by grant or contract, shall
 12 provide for technical assistance to and oversight of States
 13 carrying out demonstration projects under this section, for
 14 purposes of administration, quality assurance, and quality
 15 improvement.

16 “(i) EVALUATION AND REPORT.—The Assistant Sec-
 17 retary, directly or by grant or contract, shall provide for
 18 an evaluation of the demonstration projects carried out
 19 under this section. The Assistant Secretary shall submit
 20 to the President a report containing the findings resulting
 21 from such evaluation not later than 6 months after the
 22 termination of the demonstration projects.”.

23 **SEC. 43. RESPONSIBILITIES OF ASSISTANT SECRETARY.**

24 Section 432(c)(2)(B) of the Older Americans Act of
 25 1965 (42 U.S.C. 3033a(c)(2)(B)) is amended by inserting

1 before the period the following: “, including preparing an
 2 analysis of such services, projects, and programs, and of
 3 how the evaluation relates to improvements in such serv-
 4 ices, projects, and programs and in the strategic plan of
 5 the Administration”.

6 **SEC. 44. OLDER AMERICAN COMMUNITY SERVICE EMPLOY-**
 7 **MENT PROGRAM.**

8 Section 502 of the Older Americans Act of 1965 (42
 9 U.S.C. 3056) is amended—

10 (1) in subsection (a)(1), by adding at the end
 11 the following: “For purposes of this paragraph, an
 12 underemployed person shall be considered to be an
 13 unemployed person.”;

14 (2) in subsection (b)(1)(M), by striking “minor-
 15 ity, limited English-speaking, and Indian eligible in-
 16 dividuals, and eligible individuals who have the
 17 greatest economic need,” and inserting “minority
 18 and Indian eligible individuals, eligible individuals
 19 with limited English proficiency, and eligible individ-
 20 uals with greatest economic need,”; and

21 (3) by adding at the end the following:

22 “(g)(1) Except as provided in paragraphs (2) and
 23 (3), an eligible individual may participate in projects ear-
 24 nered out under this title for a period of not more than
 25 36 months (whether or not consecutive) in the aggregate.

1 “(2) A grantee for a project may extend the period
 2 of participation for not more than 20 percent of the
 3 project participants. In selecting participants for the ex-
 4 tended period of participation, the grantee shall give pri-
 5 ority to—

6 “(A) participants who are 65 years old or older
 7 or frail older individuals; and

8 “(B) individuals who have more than 1 of the
 9 following barriers to employment:

10 “(i) A disability.

11 “(ii) Limited English proficiency or low lit-
 12 eracy skills.

13 “(iii) A residence in a rural area.

14 “(iv) A residence in an area of high unem-
 15 ployment.

16 “(v) Homelessness or a situation that puts
 17 the individual at risk for homelessness.

18 “(vi) A failure to find employment after
 19 utilizing services under title I of the Workforce
 20 Investment Act of 1998 (29 U.S.C. 2801 et
 21 seq.).

22 “(3) A grantee may petition for a waiver of the 36-
 23 month limit described in paragraph (1) if the grantee
 24 serves a high concentration of individuals who are hard-
 25 to-serve individuals because they have more than 1 barrier

1 to employment as described in paragraph (2)(B), includ-
 2 ing a grantee who operates a project in an area in which
 3 at least 60 percent of the counties are rural counties, as
 4 defined by the Economic Research Service of the Depart-
 5 ment of Agriculture.

6 “(h) It is the sense of the Senate that—

7 “(1) the older American community service em-
 8 ployment program was created with the intent of
 9 placing older individuals in community service posi-
 10 tions to provide job training placements; and

11 “(2) placing older individuals in community
 12 service positions strengthens the ability of the indi-
 13 viduals to become self-sufficient, provides much-
 14 needed volunteer support to organizations who ben-
 15 efit significantly from increased civic engagement,
 16 and strengthens the communities that are served by
 17 such organizations.”.

18 **SEC. 45. PERFORMANCE.**

19 Section 513 of the Older Americans Act of 1965 (42
 20 U.S.C. 3056k) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking the paragraph designa-
 24 tion and all that follows through “grant-
 25 ees” and inserting the following:

1 “(1) ESTABLISHMENT AND IMPLEMENTATION
2 OF MEASURES.—The Secretary shall establish and
3 implement, after consultation with the Assistant
4 Secretary, grantees”; and

5 (ii) by adding at the end the fol-
6 lowing: “The Assistant Secretary shall pro-
7 vide recommendations to the Secretary on
8 the establishment and implementation of
9 the performance measures.”;

10 (B) in paragraph (2)(B), by adding at the
11 end the following:

12 “(iv) Not less than 60 percent of the
13 counties, in the areas served by the grant-
14 ee, being rural counties as defined by the
15 Economic Research Service of the Depart-
16 ment of Agriculture.

17 “(v) The areas served by the grantee
18 comprising a difficult to serve territory due
19 to limited economies of scale.”; and

20 (C) by adding at the end the following:

21 “(6) SPECIAL RULES.—

22 “(A) ESTABLISHMENT AND IMPLEMENTA-
23 TION.—The Secretary shall establish and imple-
24 ment the performance measures described in
25 this section, including all required indicators de-

scribed in subsection (b); not later than 1 year
after the date of enactment of the Older Ameri-
cans Act Amendments of 2006.

~~“(B) IMPACT ON GRANT COMPETITION.—~~

The Secretary may not publish a notice an-
nouncing a grant competition under this title;
and soliciting proposals for grants; until the
day that is the later of—

~~“(i) the date on which the Secretary
implements all required indicators de-
scribed in subsection (b); and~~

~~“(ii) January 1, 2010.”; and~~

~~(2) by adding at the end the following:~~

~~“(e) EFFECT OF EXEMPTION.—In implementing a
performance measure under this section, the Secretary
shall not reduce a score on the performance measure of—~~

~~“(1) a grantee that receives a waiver under sec-
tion 502(g)(3) on the basis that the grantee is ex-
tending the period of participation for project par-
ticipants under that section; and~~

~~“(2) a grantee on the basis that the grantee is
extending the period of participation for project par-
ticipants under section 502(g)(2).”.~~

1 **SEC. 46. COMPETITIVE REQUIREMENTS.**

2 Section 514 of the Older Americans Act of 1965 (42
3 U.S.C. 30561) is amended—

4 (1) by striking subsection (a) and inserting the
5 following:

6 “(a) **PROGRAM AUTHORIZED.**—In accordance with
7 section 502(b), the Secretary shall award grants to eligible
8 applicants, through a competitive process that emphasizes
9 meeting performance measures, to carry out projects
10 under this title for a 4-year period. The Secretary may
11 not conduct a grant competition under this title until the
12 day described in section 513(a)(6)(B).”;

13 (2) by striking subsection (b) and inserting the
14 following:

15 “(b) **ELIGIBLE APPLICANTS.**—An applicant shall be
16 eligible to receive a grant as described in subsection (a)
17 if the applicant meets the requirements and criteria de-
18 scribed in section 502(b)(1), subsections (c) and (d), and
19 paragraphs (2) and (3) of subsection (e).”;

20 (3) in subsection (e)—

21 (A) by redesignating paragraphs (2)
22 through (7) as paragraphs (4) through (9), re-
23 spectively;

24 (B) by inserting after paragraph (1) the
25 following:

1 “(2) The applicant’s performance on the re-
 2 quired indicators described in section 513(b), in the
 3 case of an applicant that has previously received a
 4 grant under this title, and the applicant’s ability to
 5 meet the required indicators, in the case of any
 6 other applicant.

7 “(3) The applicant’s ability to administer a pro-
 8 gram that provides community service.”; and

9 (C) by striking paragraph (9) and insert-
 10 ing the following:

11 “(9) The applicant’s ability to minimize disrup-
 12 tion in services for project participants and the enti-
 13 ties employing the participants.

14 “(10) Any additional criteria that the Secretary
 15 may determine to be appropriate.”;

16 (4) in subsection (c)—

17 (A) in paragraph (2), by striking subpara-
 18 graphs (C) and (D); and

19 (B) in paragraph (3)—

20 (i) by striking “(3)” and all that fol-
 21 lows through “In” and inserting the fol-
 22 lowing:

23 “(3) COMPETITION REQUIREMENTS FOR PUBLIC
 24 AND PRIVATE NONPROFIT AGENCIES AND ORGANIZA-
 25 TIONS IN A STATE.—In”;

1 (ii) by striking subparagraphs (B)
2 through (D); and

3 (iii) by striking “take corrective ac-
4 tion” and inserting “provide technical as-
5 sistance”;

6 (C) in paragraph (4), by striking “para-
7 graph (3)(A)” and inserting “paragraph (3)”;
8 (5) in subsection (f), by striking paragraph (4);
9 (6) by adding at the end the following:

10 “~~(g)~~ GRANTEES SERVING INDIVIDUALS WITH BAR-
11 RIERS TO EMPLOYMENT.—

12 “(1) DEFINITION.—In this subsection, the term
13 ‘individuals with barriers to employment’ means mi-
14 nority and Indian individuals, individuals with lim-
15 ited English proficiency, and individuals with great-
16 est economic need.

17 “(2) SPECIAL CONSIDERATION.—In areas where
18 a substantial population of individuals with barriers
19 to employment exists, a grantee that receives a na-
20 tional grant under this section shall, in selecting
21 subgrantees, give special consideration to organiza-
22 tions (including former recipients of such national
23 grants) with demonstrated expertise in serving indi-
24 viduals with barriers to employment.

1 “(h) ~~MINORITY-SERVING GRANTEEES.~~—The Secretary
 2 may not promulgate rules or regulations, affecting grant-
 3 ees in areas where a substantial population of minority
 4 individuals exists, that would significantly compromise the
 5 ability of the grantees to serve their targeted population
 6 of minority older individuals.”.

7 **SEC. 47. DEFINITIONS.**

8 Section 516(2) of the Older Americans Act of 1965
 9 (42 U.S.C. 3056n(2)) is amended—

10 (1) in the header, by striking “INDIVIDUALS”
 11 and inserting “INDIVIDUAL” ;

12 (2) by inserting before “The term” the fol-
 13 lowing:

14 “(A) IN GENERAL.—”;

15 (3) by striking “individuals” and inserting “in-
 16 dividual”; and

17 (4) by adding at the end the following:

18 “(B) DETERMINATION OF LOW INCOME.—

19 For purposes of determining income eligibility
 20 under subparagraph (A), the Secretary shall
 21 not include as income—

22 “(i) unemployment compensation;

23 “(ii) benefits received under title XVI
 24 of the Social Security Act (42 U.S.C. 1381
 25 et seq.);

1 “(iii) payments made to or on behalf
2 of veterans or former members of the
3 Armed Forces under the laws administered
4 by the Secretary of Veterans Affairs; or

5 “(iv) 25 percent of the old-age and
6 survivors insurance benefits received under
7 title II of the Social Security Act (42
8 U.S.C. 401 et seq.).”.

9 **SEC. 48. CLARIFICATION OF MAINTENANCE REQUIREMENT.**

10 (a) **IN GENERAL.**—Section 614A of the Older Ameri-
11 cans Act of 1965 (42 U.S.C. 3057e–1) is amended by add-
12 ing at the end the following:

13 “(c) **CLARIFICATION.**—

14 “(1) **DEFINITION.**—In this subsection, the term
15 ‘covered year’ means fiscal year 2006 or a subse-
16 quent fiscal year.

17 “(2) **CONSORTIA OF TRIBAL ORGANIZATIONS.**—

18 If a tribal organization received a grant under this
19 part for fiscal year 1991 as part of a consortium,
20 the Assistant Secretary shall consider the tribal or-
21 ganization to have received a grant under this part
22 for fiscal year 1991 for purposes of subsections (a)
23 and (b); and shall apply the provisions of subsections
24 (a) and (b)(1) (under the conditions described in
25 subsection (b)) to the tribal organization for each

covered year for which the tribal organization submits an application under this part, even if the tribal organization submits—

“(A) a separate application from the remaining members of the consortium; or

“(B) an application as 1 of the remaining members of the consortium.”.

(b) EFFECTIVE DATE.—Subsection (a) takes effect on October 1, 2005.

SEC. 49. NATIVE AMERICANS CAREGIVER SUPPORT PROGRAM.

Section 643 of the Older Americans Act of 1965 (42 U.S.C. 3057n) is amended—

(1) in paragraph (1), by striking “2001” and inserting “2007”; and

(2) in paragraph (2), by striking “\$5,000,000” and all that follows and inserting “\$6,500,000 for fiscal year 2007, \$7,000,000 for fiscal year 2008, \$7,500,000 for fiscal year 2009, \$8,000,000 for fiscal year 2010, and \$8,500,000 for fiscal year 2011.”.

1 **SEC. 50. VULNERABLE ELDER RIGHTS PROTECTION ACTIVI-**
 2 **TIES.**

3 Section 702 of the Older Americans Act of 1965 (42
 4 U.S.C. 3058a) is amended by striking “2001” each place
 5 it appears and inserting “2007”.

6 **SEC. 51. ELDER ABUSE, NEGLECT, AND EXPLOITATION PRE-**
 7 **VENTION AMENDMENT.**

8 Section 721 of the Older Americans Act of 1965 (42
 9 U.S.C. 3058i) is amended—

10 (1) in subsection (b)—

11 (A) by redesignating paragraphs (2)
 12 through (8) as paragraphs (3) through (9), re-
 13 spectively; and

14 (B) by inserting after paragraph (1) the
 15 following new paragraph:

16 “(2) providing for public education and out-
 17 reach to promote financial literacy and prevent iden-
 18 tity theft and financial exploitation of older individ-
 19 uals;” and

20 (2) in subsection (c)(2)—

21 (A) by striking “subsection (b)(8)(B)(i)”
 22 and inserting “subsection (b)(9)(B)(i)”; and

23 (B) by striking “subsection (b)(8)(B)(ii)”
 24 and inserting “subsection (b)(9)(B)(ii)”.

1 **SEC. 52. NATIVE AMERICAN ORGANIZATION PROVISIONS.**

2 Section 751(d) of the Older Americans Act of 1965
3 (~~42 U.S.C. 3058aa(d)~~) is amended by striking “2001” and
4 inserting “2007”.

5 **SEC. 53. ELDER JUSTICE PROGRAMS.**

6 (a) **PURPOSES.**—The purposes of this section are as
7 follows:

8 (1) To assist States and Indian tribes in devel-
9 oping a comprehensive multi-disciplinary approach
10 to elder justice.

11 (2) To promote research and data collection
12 that will fill gaps in knowledge about elder abuse,
13 neglect, and exploitation.

14 (3) To support innovative and effective activi-
15 ties of service providers and programs that are de-
16 signed to address issues relating to elder abuse, ne-
17 glect, and exploitation.

18 (4) To assist States, Indian tribes, and local
19 service providers in the development of short- and
20 long-term strategic plans for the development and
21 coordination of elder justice research, programs,
22 studies, training, and other efforts.

23 (5) To promote collaborative efforts and dimin-
24 ish overlap and gaps in efforts in developing the im-
25 portant field of elder justice.

1 (b) ELDER JUSTICE.—Title VII of the Older Ameri-
 2 cans Act of 1965 (42 U.S.C. 3058 et seq.) is amended—

3 (1) by redesignating subtitles B and C as sub-
 4 titles C and D, respectively;

5 (2) by redesignating sections 751, and 761
 6 through 764, as sections 761, and 771 through 774,
 7 respectively; and

8 (3) by inserting after subtitle A the following:

9 **“Subtitle B—Elder Justice**
 10 **Programs**

11 **“SEC. 751. DEFINITIONS.**

12 “In this subtitle:

13 “(1) CAREGIVER.—The term ‘caregiver’ means
 14 an individual who has the responsibility for the care
 15 of an elder, either voluntarily, by contract, by receipt
 16 of payment for care, or as a result of the operation
 17 of law and means a family member or other indi-
 18 vidual who provides (on behalf of such individual or
 19 of a public or private agency, organization, or insti-
 20 tution) compensated or uncompensated care to an
 21 elder.

22 “(2) DIRECT CARE.—The term ‘direct care’
 23 means care by an employee or contractor who pro-
 24 vides assistance or long-term care services to a re-
 25 cipient.

1 ~~“(3) ELDER.—~~The term ‘elder’ means an older
2 individual, as defined in section 102.

3 ~~“(4) ELDER JUSTICE.—~~The term ‘elder justice’
4 means—

5 ~~“(A) efforts to prevent, detect, treat, inter-~~
6 ~~vene in, and respond to elder abuse, neglect,~~
7 ~~and exploitation and to protect elders with di-~~
8 ~~minished capacity while maximizing their au-~~
9 ~~tonomy; and~~

10 ~~“(B) from an individual perspective, the~~
11 ~~recognition of an elder’s rights, including the~~
12 ~~right to be free of abuse, neglect, and exploi-~~
13 ~~tation.~~

14 ~~“(5) ELIGIBLE ENTITY.—~~The term ‘eligible en-
15 tity’ means a State or local government agency, In-
16 dian tribe, or any other public or private entity, that
17 is engaged in and has expertise in issues relating to
18 elder justice.

19 ~~“(6) FIDUCIARY.—~~The term ‘fiduciary’—

20 ~~“(A) means a person or entity with the~~
21 ~~legal responsibility—~~

22 ~~“(i) to make decisions on behalf of~~
23 ~~and for the benefit of another person; and~~

24 ~~“(ii) to act in good faith and with~~
25 ~~fairness; and~~

1 “(B) includes a trustee, a guardian, a con-
 2 servator, an executor, an agent under a finan-
 3 cial power of attorney or health care power of
 4 attorney, or a representative payee.

5 “(7) GRANT.—The term ‘grant’ includes a con-
 6 tract, cooperative agreement, or other mechanism
 7 for providing financial assistance.

8 “(8) LAW ENFORCEMENT.—The term ‘law en-
 9 forcement’ means the full range of potential re-
 10 sponders to elder abuse, neglect, and exploitation in-
 11 cluding—

12 “(A) police, sheriffs, detectives, public safe-
 13 ty officers, and corrections personnel;

14 “(B) prosecutors;

15 “(C) medical examiners;

16 “(D) investigators; and

17 “(E) coroners.

18 “(9) LONG-TERM CARE.—

19 “(A) IN GENERAL.—The term ‘long-term
 20 care’ means supportive and health services spec-
 21 ified by the Secretary for individuals who need
 22 assistance because the individuals have a loss of
 23 capacity for self-care due to illness, disability,
 24 or vulnerability.

1 “(B) LOSS OF CAPACITY FOR SELF-
 2 CARE.—For purposes of subparagraph (A), the
 3 term ‘loss of capacity for self-care’ means an in-
 4 ability to engage effectively in activities of daily
 5 living, including eating, dressing, bathing, and
 6 management of one’s financial affairs.

7 “(10) LONG-TERM CARE FACILITY.—The term
 8 ‘long-term care facility’ means a residential care pro-
 9 vider that arranges for, or directly provides, long-
 10 term care.

11 “(11) NURSING FACILITY.—The term ‘nursing
 12 facility’ has the meaning given such term under sec-
 13 tion 1919(a) of the Social Security Act (42 U.S.C.
 14 1396r(a)).

15 “(12) STATE LEGAL ASSISTANCE DEVEL-
 16 OPER.—The term ‘State legal assistance developer’
 17 means an individual described in section 731.

18 “(13) STATE LONG-TERM CARE OMBUDSMAN.—
 19 The term ‘State Long-Term Care Ombudsman’
 20 means the State Long-Term Care Ombudsman de-
 21 scribed in section 712(a)(2).

1 **“SEC. 752. STATE AND TRIBAL GRANTS TO STRENGTHEN**
2 **LONG-TERM CARE AND PROVIDE ASSISTANCE**
3 **FOR ELDER JUSTICE PROGRAMS.**

4 “(a) GRANTS.—The Assistant Secretary may award
5 grants to States and Indian tribes to enable the States
6 and tribes to strengthen long-term care and provide assist-
7 ance for elder justice programs.

8 “(b) APPLICATION.—To be eligible to receive a grant
9 under this subtitle, a State or Indian tribe shall submit
10 an application to the Assistant Secretary at such time, in
11 such manner, and containing such information as the As-
12 sistant Secretary may require.

13 “(c) USE OF FUNDS.—A State or Indian tribe that
14 receives a grant under this subtitle may use the funds
15 made available through the grant to award grants—

16 “(1) to eligible entities for the prevention, de-
17 tection, assessment, and treatment of, intervention
18 in, investigation of, and response to elder abuse, ne-
19 glect, and exploitation;

20 “(2) to eligible entities to examine various types
21 of elder shelters (in this paragraph referred to as
22 ‘safe havens’), and to test various safe haven models
23 for establishing safe havens (at home or elsewhere);
24 that—

1 “(A) recognize autonomy and self-deter-
2 mination, and fully protect the due process
3 rights of elders; and

4 “(B)(i) provide a comprehensive, culturally
5 sensitive, and multidisciplinary team response
6 to allegations of elder abuse, neglect, or exploi-
7 tation;

8 “(ii) provide a dedicated, elder-friendly set-
9 ting;

10 “(iii) have the capacity to meet the needs
11 of elders for care; and

12 “(iv) provide various services including—

13 “(I) nursing and forensic evaluation;

14 “(II) therapeutic intervention;

15 “(III) victim support and advocacy;

16 and

17 “(IV) case review and assistance to
18 make the elders safer at home or to find
19 appropriate placement in safer environ-
20 ments, including shelters, and, in some cir-
21 cumstances long-term care facilities; other
22 residential care facilities; and hospitals;

23 “(3) to eligible entities to establish or continue
24 volunteer programs that focus on the issues of elder

1 abuse, neglect, and exploitation, or to provide related
2 services;

3 “(4) to eligible entities to support multidisci-
4 plinary elder justice activities, such as—

5 “(A) supporting and studying team ap-
6 proaches for bringing a coordinated multidisci-
7 plinary or interdisciplinary response to elder
8 abuse, neglect, and exploitation, including a re-
9 sponse from individuals in social service, health
10 care, public safety, and legal disciplines;

11 “(B) establishing a State or tribal coordi-
12 nating council, which shall identify the indi-
13 vidual State’s or Indian tribe’s needs and pro-
14 vide the Secretary with information and rec-
15 ommendations relating to efforts by the State
16 or Indian tribe to combat elder abuse, neglect,
17 and exploitation;

18 “(C) providing training, technical assist-
19 ance, and other methods of support to groups
20 carrying out multidisciplinary efforts at the
21 State or Indian tribe level (referred to in some
22 States as ‘State Working Groups’);

23 “(D) broadening and studying various
24 models for elder fatality and serious injury re-
25 view teams, to make recommendations about

1 their composition, protocols, functions, timing,
 2 roles, and responsibilities, with a goal of pro-
 3 ducing models and information that will allow
 4 for replication based on the needs of other
 5 States, Indian tribes, and communities; or

6 “(E) carrying out such other interdiscipli-
 7 nary or multidisciplinary efforts as the Assist-
 8 ant Secretary determines to be appropriate;

9 “(5) to eligible entities to provide training for
 10 individuals with respect to issues of elder abuse, ne-
 11 glect, and exploitation, consisting of—

12 “(A) training within a discipline; or

13 “(B) cross-training activities that permit
 14 individuals in multiple disciplines to train to-
 15 gether, fostering communication, coordinating
 16 efforts, and ensuring collaboration;

17 “(6) to eligible entities to address underserved
 18 populations of elders, such as—

19 “(A) elders living in rural locations;

20 “(B) elders in minority populations; or

21 “(C) low-income elders;

22 “(7) to eligible entities to provide incentives for
 23 individuals to train for, seek, and maintain employ-
 24 ment providing direct care in a long-term care facil-
 25 ity, such as—

1 “(A) to eligible entities to provide incen-
 2 tives to participants in programs carried out
 3 under part A of title IV, and section 403(a)(5),
 4 of the Social Security Act (42 U.S.C. 601 et
 5 seq., 603(a)(5)) to train for and seek employ-
 6 ment providing direct care in a long-term care
 7 facility;

8 “(B) to long-term care facilities to carry
 9 out programs through which the facilities—

10 “(i) offer, to employees who provide
 11 direct care to residents of a long-term care
 12 facility, continuing training and varying
 13 levels of professional certification, based on
 14 observed clinical care practices and the
 15 amount of time the employees spend pro-
 16 viding direct care; and

17 “(ii) provide, or make arrangements
 18 with employers to provide, bonuses or
 19 other increased compensation or benefits to
 20 employees who achieve professional certifi-
 21 cation under such a program; or

22 “(C) to long-term care facilities to enable
 23 the facilities to provide training and technical
 24 assistance to eligible employees regarding man-
 25 agement practices using methods that are dem-

onstrated to promote retention of employees of
the facilities, such as—

“(i) the establishment of basic human
resource policies that reward high perform-
ance, including policies that provide for im-
proved wages and benefits on the basis of
job reviews; or

“(ii) the establishment of other pro-
grams that promote the provision of high
quality care, such as a continuing edu-
cation program that provides additional
hours of training, including on-the-job
training, for employees who are certified
nurse aides;

“(8) to encourage the establishment of eligible
partnerships to develop collaborative and innovative
approaches to improve the quality of, including pre-
venting abuse, neglect, and exploitation in, long-term
care; or

“(9) to eligible entities to establish multidisci-
plinary panels to address and develop best practices
concerning methods of—

“(A) improving the quality of long-term
care; and

1 “(B) addressing abuse, including resident-
2 to-resident abuse, in long-term care.

3 “(d) ADMINISTRATIVE EXPENSES.—A State or In-
4 dian tribe that receives a grant under this section shall
5 not use more than 5 percent of the funds made available
6 through the grant to pay for administrative expenses.

7 “(e) SUPPLEMENT NOT SUPPLANT.—Funds made
8 available pursuant to this section shall be used to supple-
9 ment and not supplant other Federal, State, and local (in-
10 cluding tribal) funds expended to provide activities de-
11 scribed in subsection (c).

12 “(f) MAINTENANCE OF EFFORT.—The State or In-
13 dian tribe, in using the proceeds of a grant received under
14 this section, shall maintain the expenditures of the State
15 or tribe for activities described in subsection (c) at a level
16 equal to not less than the level of such expenditures main-
17 tained by the State or tribe for the fiscal year preceding
18 the fiscal year for which the grant is received.

19 “(g) ACCOUNTABILITY MEASURES.—The Assistant
20 Secretary shall develop accountability measures to ensure
21 the effectiveness of the activities conducted using funds
22 made available under this section, including accountability
23 measures to ensure that the activities described in sub-
24 section (c)(7) benefit eligible employees and increase the
25 stability of the long-term care workforce.

1 “(h) EVALUATING PROGRAMS.—The Assistant Sec-
 2 retary shall evaluate the activities conducted using funds
 3 made available under this section and shall use the results
 4 of such evaluation to determine the activities for which
 5 funds made available under this section may be used.

6 “(i) COMPLIANCE WITH APPLICABLE LAWS.—In
 7 order to receive funds under this section, an entity shall
 8 comply with all applicable laws, regulations, and guide-
 9 lines.

10 “(j) ELIGIBLE PARTNERSHIPS.—In subsection
 11 (e)(8), the term ‘eligible partnership’ means a multidisci-
 12 plinary community partnership consisting of eligible enti-
 13 ties or appropriate individuals, such as a partnership con-
 14 sisting of representatives in a community of nursing facil-
 15 ity providers, State legal assistance developers, advocates
 16 for residents of long-term care facilities, State Long-Term
 17 Care Ombudsmen, surveyors, the State agency with re-
 18 sponsibility for adult protective services, the State agency
 19 with responsibility for licensing long-term care facilities,
 20 law enforcement agencies, courts, family councils, resi-
 21 dents, certified nurse aides, registered nurses, physicians,
 22 and other eligible entities and appropriate individuals.

23 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
 24 are authorized to be appropriated to carry out this section

1 such sums as may be necessary for each of fiscal years
 2 2005 through 2008.

3 **“SEC. 753. COLLECTION OF UNIFORM NATIONAL DATA ON**
 4 **ELDER ABUSE, NEGLECT, AND EXPLOI-**
 5 **TATION.**

6 “(a) PURPOSE.—The purpose of this section is to im-
 7 prove, streamline, and promote uniform collection, mainte-
 8 nance, and dissemination of national data relating to the
 9 various types of elder abuse, neglect, and exploitation.

10 “(b) PHASE I.—

11 “(1) IN GENERAL.—Not later than the date
 12 that is 1 year after the date of enactment of the
 13 Older Americans Act Amendments of 2006, the As-
 14 sistant Secretary, acting through the head of the Of-
 15 fice of Elder Abuse Prevention and Services, after
 16 consultation with the Attorney General and working
 17 with experts in relevant disciplines from the Bureau
 18 of Justice Statistics of the Office of Justice Pro-
 19 grams of the Department of Justice, shall—

20 “(A) develop a method for collecting na-
 21 tional data regarding elder abuse, neglect, and
 22 exploitation; and

23 “(B) develop uniform national data report-
 24 ing forms adapted to each relevant entity or
 25 discipline (such as health, public safety, social

and protective services; and law enforcement)
reflecting—

“(i) the distinct manner in which each
entity or discipline receives and maintains
information; and

“(ii) the sequence and history of re-
ports to or involvement of different entities
or disciplines, independently, or the se-
quence and history of reports from 1 entity
or discipline to another over time.

“(2) FORMS.—

“(A) IN GENERAL.—Subject to subpara-
graph (B), the national data reporting forms
described in paragraph (1)(B) shall incorporate
the definitions of section 751, for use in deter-
mining whether an event is reportable.

“(B) PROTECTION OF PRIVACY.—In pur-
suing activities under this paragraph, the Sec-
retary shall ensure the protection of individual
health privacy consistent with the regulations
promulgated under section 264(e) of the Health
Insurance Portability and Accountability Act of
1996 and State and local privacy regulations
(as applicable).

“(c) PHASE II.—

1 “(1) IN GENERAL.—Not later than the date
 2 that is 1 year after the date on which the activities
 3 described in subsection (b)(1) are completed, the
 4 Secretary (or the Secretary’s designee) shall ensure
 5 that the national data reporting forms and data col-
 6 lection methods developed in accordance with such
 7 subsection are pilot tested in 6 States selected by
 8 the Secretary.

9 “(2) ADJUSTMENTS TO THE FORM AND METH-
 10 ODS.—The Secretary, after considering the results
 11 of the pilot testing described in paragraph (1) and
 12 consultation with the Attorney General and relevant
 13 experts, shall adjust the national data reporting
 14 forms and data collection methods as necessary.

15 “(d) PHASE III.—

16 “(1) DISTRIBUTION OF NATIONAL DATA RE-
 17 PORTING FORMS.—After completion of the adjust-
 18 ment to the national data reporting forms under
 19 subsection (c)(2), the Secretary shall submit the na-
 20 tional data reporting forms along with instructions
 21 to—

22 “(A) the heads of the relevant components
 23 of the Department of Health and Human Serv-
 24 ices, the Department of Justice, and the De-

1 partment of the Treasury, and such other Fed-
2 eral entities as may be appropriate; and

3 “(B) the Governor’s office of each State
4 for collection from all relevant State entities of
5 data, including health care, social services, and
6 law enforcement data.

7 “(2) DATA COLLECTION GRANTS.—

8 “(A) AUTHORIZATION.—The Secretary is
9 authorized to award grants to States to improve
10 data collection activities relating to elder abuse,
11 neglect, and exploitation.

12 “(B) APPLICATION.—To be eligible to re-
13 ceive a grant under this paragraph, a State
14 shall submit an application to the Secretary at
15 such time, in such manner, and containing such
16 information as the Secretary may require.

17 “(C) REQUIREMENTS.—Each State receiv-
18 ing a grant under this paragraph for a fiscal
19 year shall report data for the calendar year that
20 begins during that fiscal year, using the na-
21 tional data reporting forms described in para-
22 graph (1).

23 “(D) FUNDING.—

24 “(i) FIRST YEAR.—For the first fiscal
25 year for which a State receives grant funds

1 under this subsection the Secretary shall
 2 initially distribute 50 percent of such
 3 funds. The Secretary shall distribute the
 4 remaining funds at the end of the calendar
 5 year that begins during that fiscal year, if
 6 the Secretary determines that the State
 7 has properly reported data required under
 8 this subsection for the calendar year.

9 “(ii) SUBSEQUENT YEARS.—Except as
 10 provided in clause (i), the Secretary shall
 11 distribute grant funds to a State under
 12 this subsection for a fiscal year if the Sec-
 13 retary determines that the State properly
 14 reported data required under this sub-
 15 section for the calendar year that ends
 16 during that fiscal year.

17 “(3) REQUIRED INFORMATION.—Each report
 18 submitted under this subsection shall—

19 “(A) indicate the State and year in which
 20 each event occurred; and

21 “(B) identify the total number of events
 22 that occurred in each State during the year and
 23 the type of each event.

24 “(c) REPORT.—Not later than 1 year after the date
 25 of enactment of the Older Americans Act Amendments of

1 2006 and annually thereafter, the Secretary shall prepare
 2 and submit to the appropriate committees of Congress, in-
 3 cluding to the Committee on Health Education, Labor,
 4 and Pensions and the Special Committee on Aging of the
 5 Senate, a report regarding activities conducted under this
 6 section.

7 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 8 are authorized to be appropriated to carry out this section
 9 such sums as may be necessary for each of fiscal years
 10 2007, 2008, 2009, 2010, and 2011.”.

11 **SEC. 54. RULE OF CONSTRUCTION.**

12 Subtitle C of title VII of the Older Americans Act
 13 of 1965 (42 U.S.C. 3058 et seq.) is amended by adding
 14 at the end the following:

15 **“SEC. 765. RULE OF CONSTRUCTION.**

16 “Nothing in this title shall be construed to interfere
 17 with or abridge the right of an older individual to practice
 18 the individual’s religion through reliance on prayer alone
 19 for healing, in a case in which a decision to so practice
 20 the religion—

21 “(1) is contemporaneously expressed by the
 22 older individual—

23 “(A) either orally or in writing;

1 “(B) with respect to a specific illness or in-
 2 jury that the older individual has at the time of
 3 the decision; and

4 “(C) when the older individual is com-
 5 petent to make the decision;

6 “(2) is set forth prior to the occurrence of the
 7 illness or injury in a living will, health care proxy,
 8 or other advance directive document that is validly
 9 executed and applied under State law; or

10 “(3) may be unambiguously deduced from the
 11 older individual’s life history.”.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Older Americans Act*
 14 *Amendments of 2006”.*

15 **SEC. 2. DEFINITIONS.**

16 *Section 102 of the Older Americans Act of 1965 (42*
 17 *U.S.C. 3002) is amended—*

18 *(1) in paragraph (12)(D), to read as follows:*

19 *“(D) evidence-based health promotion pro-*
 20 *grams, including programs related to the preven-*
 21 *tion and mitigation of the effects of chronic dis-*
 22 *ease (including osteoporosis, hypertension, obe-*
 23 *sity, diabetes, and cardiovascular disease), alco-*
 24 *hol and substance abuse reduction, smoking ces-*
 25 *sation, weight loss and control, stress manage-*

1 *ment, falls prevention, physical activity, and im-*
 2 *proved nutrition;”;*

3 *(2) by striking paragraph (24) and inserting the*
 4 *following:*

5 *“(24) The term ‘exploitation’ means the fraudu-*
 6 *lent or otherwise illegal, unauthorized, or improper*
 7 *act or process of an individual, including a caregiver*
 8 *or fiduciary (as such terms are defined in section*
 9 *751), that uses the resources of an older individual for*
 10 *monetary or personal benefit, profit, or gain, or that*
 11 *results in depriving an older individual of rightful*
 12 *access to, or use of, benefits, resources, belongings, or*
 13 *assets.”;*

14 *(3) in paragraph (29)(E)—*

15 *(A) in clause (i), by striking “and” at the*
 16 *end;*

17 *(B) in clause (ii), by striking the period at*
 18 *the end and inserting “; and”; and*

19 *(C) by adding at the end the following:*

20 *“(iii) older individuals at risk for in-*
 21 *stitutional placement.”;*

22 *(4) in paragraph (32)(D), by inserting “, includ-*
 23 *ing an assisted living facility,” after “home”;*

24 *(5) by striking paragraph (34) and inserting the*
 25 *following:*

1 “(34)(A) *The term ‘neglect’ means—*

2 “(i) *the failure of a caregiver or fiduciary*
 3 *(as such terms are defined in section 751) to pro-*
 4 *vide the goods or services that are necessary to*
 5 *maintain the health or safety of an older indi-*
 6 *vidual; or*

7 “(ii) *self-neglect.*

8 “(B) *The term ‘self-neglect’ means an adult’s in-*
 9 *ability, due to physical or mental impairment or di-*
 10 *minished capacity, to perform essential self-care tasks*
 11 *including—*

12 “(i) *obtaining essential food, clothing, shel-*
 13 *ter, and medical care;*

14 “(ii) *obtaining goods and services necessary*
 15 *to maintain physical health, mental health, or*
 16 *general safety; or*

17 “(iii) *managing one’s own financial af-*
 18 *fairs.’; and*

19 (6) *by adding at the end the following:*

20 “(44) *The term ‘Aging and Disability Resource*
 21 *Center’ means a center established by a State as part*
 22 *of the State system of long-term care, to provide a co-*
 23 *ordinated system for providing—*

1 “(A) *comprehensive information on avail-*
2 *able public and private long-term care programs,*
3 *options, and resources;*

4 “(B) *personal counseling to assist individ-*
5 *uals in assessing their existing or anticipated*
6 *long-term care needs, and developing and imple-*
7 *menting a plan for long-term care designed to*
8 *meet their specific needs and circumstances; and*

9 “(C) *consumer access to the range of pub-*
10 *licly-supported long-term care programs for*
11 *which consumers may be eligible, by serving as*
12 *a convenient point of entry for such programs.*

13 “(45) *The term ‘at risk for institutional place-*
14 *ment’ means, with respect to an older individual, that*
15 *such individual is unable to perform at least 2 activi-*
16 *ties of daily living without substantial assistance (in-*
17 *cluding verbal reminding, physical cuing, or super-*
18 *vision), including such an older individual that is de-*
19 *termined by the State involved to be in need of place-*
20 *ment in a long-term care facility.*

21 “(46) *The term ‘Hispanic-serving institution’*
22 *has the meaning given the term in section 502 of the*
23 *Higher Education Act of 1965 (20 U.S.C. 1101a).*

1 “(47) *Except as provided in section 751, the*
 2 *term ‘long-term care’ means any services, care, or*
 3 *items (including assistive devices) that are—*

4 “(A) *intended to assist individuals in cop-*
 5 *ing with, and to the extent practicable compen-*
 6 *sating for, functional impairments in carrying*
 7 *out activities of daily living;*

8 “(B) *furnished at home, in a community*
 9 *care setting (including a small community care*
 10 *setting as defined in subsection (g)(1), and a*
 11 *large community care setting as defined in sub-*
 12 *section (h)(1), of section 1929 of the Social Secu-*
 13 *rity Act (42 U.S.C. 1396t)), or in a long-term*
 14 *care facility; and*

15 “(C) *not furnished to diagnose, treat, or*
 16 *cure a medical disease or condition.*

17 “(48) *The term ‘self-directed care’ means an ap-*
 18 *proach to providing services (including programs,*
 19 *benefits, supports, and technology) under this Act in-*
 20 *tended to assist an older individual with activities of*
 21 *daily living, in which—*

22 “(A) *such services (including the amount,*
 23 *duration, scope, provider, and location of such*
 24 *services) are planned, budgeted, and purchased*

1 *under the direction and control of such indi-*
2 *vidual;*

3 *“(B) such individual is provided with such*
4 *information and assistance as is necessary and*
5 *appropriate to enable such individual to make*
6 *informed decisions about the individual’s service*
7 *options;*

8 *“(C) the needs, capabilities, and preferences*
9 *of such individual with respect to such services,*
10 *and such individual’s ability to direct and con-*
11 *trol the individual’s receipt of such services, are*
12 *assessed by the area agency on aging involved or*
13 *the local provider agency;*

14 *“(D) based on the assessment made under*
15 *subparagraph (C), upon request, the area agency*
16 *on aging assists such individual and the individ-*
17 *ual’s family, caregiver, or legal representative in*
18 *developing—*

19 *“(i) a plan of services for such indi-*
20 *vidual that specifies which services such in-*
21 *dividual will be responsible for directing;*

22 *“(ii) a determination of the role of*
23 *family members (and others whose partici-*
24 *pation is sought by such individual) in pro-*
25 *viding services under such plan; and*

1 “(iii) a budget for such services; and

2 “(E) the area agency on aging or State
3 agency involved provides for oversight of such in-
4 dividual’s self-directed receipt of services, includ-
5 ing steps to ensure the quality of services pro-
6 vided and the appropriate use of funds under
7 this Act.

8 “(49) The term ‘State system of long-term care’
9 means the Federal, State, and local programs and ac-
10 tivities administered by a State that provide, support,
11 or facilitate access to long-term care to individuals in
12 such State.”.

13 **SEC. 3. OFFICE OF ELDER ABUSE PREVENTION AND SERV-**
14 **ICES.**

15 Section 201 of the Older Americans Act of 1965 (42
16 U.S.C. 3011) is amended by adding at the end the following:

17 “(e)(1) In this subsection, the terms defined in section
18 751 shall have the meanings given those terms in that sec-
19 tion.

20 “(2) The Secretary is authorized to establish or des-
21 ignate within the Administration (as defined in section
22 102) an Office of Elder Abuse Prevention and Services.

23 “(3) It shall be the duty of the Assistant Secretary,
24 acting through the head of the Office of Elder Abuse Preven-
25 tion and Services to—

1 “(A) develop objectives, priorities, policy, and a
2 long-term plan for—

3 “(i) carrying out elder justice programs and
4 activities relating to—

5 “(I) elder abuse prevention, detection,
6 treatment, intervention, and response;

7 “(II) training of individuals regarding
8 the matters described in subclause (I); and

9 “(III) the improvement of the elder jus-
10 tice system in the United States;

11 “(ii) annually collecting, maintaining, and
12 disseminating data relating to the abuse, neglect,
13 and exploitation of elders (and, in the discretion
14 of the Secretary, vulnerable adults), including
15 collecting, maintaining, and disseminating such
16 data under section 753 after consultation with
17 the Attorney General and working with experts
18 from the Department of Justice described in sec-
19 tion 753(b)(1);

20 “(iii) disseminating information concerning
21 best practices regarding, and providing training
22 on, carrying out activities related to abuse, ne-
23 glect, and exploitation of elders (and, in the dis-
24 cretion of the Secretary, vulnerable adults);

1 “(iv) in conjunction with the necessary ex-
 2 perts, conducting research related to abuse, ne-
 3 glect, and exploitation of elders (and, in the dis-
 4 cretion of the Secretary, vulnerable adults);

5 “(v) providing technical assistance to States
 6 and other eligible entities that provide or fund
 7 the provision of the services described in subtitle
 8 B of title VII; and

9 “(vi) carrying out a study to determine the
 10 national incidence and prevalence of elder abuse,
 11 neglect, and exploitation in all settings;

12 “(B) implement the overall policy and a strategy
 13 to carry out the plan described in subparagraph (A);
 14 and

15 “(C) provide advice to the Secretary on elder jus-
 16 tice issues and administer such programs relating to
 17 elder abuse, neglect, and exploitation as the Secretary
 18 determines to be appropriate.

19 “(4) The Secretary, acting through the Assistant Sec-
 20 retary, may issue such regulations as may be necessary to
 21 carry out this subsection and subtitle B of title VII.”.

22 **SEC. 4. FUNCTIONS OF THE ASSISTANT SECRETARY.**

23 Section 202 of the Older Americans Act of 1965 (42
 24 U.S.C. 3012) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (12)—

2 (i) by striking “carry on” and insert-
3 ing the following:

4 “(B) carry on”; and

5 (ii) by striking “(12)” and inserting
6 the following:

7 “(12)(A) consult and coordinate activities with
8 the Administrator of the Centers for Medicare & Med-
9 icaid Services to implement and build awareness of
10 programs providing new benefits affecting older indi-
11 viduals; and”;

12 (B) by striking paragraph (20) and insert-
13 ing the following:

14 “(20)(A) provide technical assistance and sup-
15 port for outreach and benefits enrollment assistance to
16 support efforts—

17 “(i) to inform older individuals with great-
18 est economic need, who may be eligible to par-
19 ticipate, but who are not participating, in Fed-
20 eral and State programs for which the individ-
21 uals are eligible, about the programs; and

22 “(ii) to enroll the individuals in the pro-
23 grams;

24 “(B) in cooperation with related Federal agency
25 partners administering the Federal programs, make a

1 *grant to or enter into a contract with a qualified, ex-*
2 *perienced entity to establish a National Center on*
3 *Senior Benefits Outreach and Enrollment, which*
4 *shall—*

5 “(i) maintain and update web-based deci-
6 sion support and enrollment tools, and inte-
7 grated, person-centered systems, designed to in-
8 form older individuals about the full range of
9 benefits for which the individuals may be eligible
10 under Federal and State programs;

11 “(ii) utilize cost-effective strategies to find
12 older individuals with greatest economic need
13 and enroll the individuals in the programs;

14 “(iii) create and support efforts for Aging
15 and Disability Resource Centers, and other pub-
16 lic and private State and community-based or-
17 ganizations, including faith-based organizations
18 and coalitions, to serve as benefits enrollment
19 centers for the programs;

20 “(iv) develop and maintain an information
21 clearinghouse on best practices and the most cost-
22 effective methods for finding and enrolling older
23 individuals with greatest economic need in the
24 programs; and

1 “(v) provide, in collaboration with related
 2 Federal agency partners administering the Fed-
 3 eral programs, training and technical assistance
 4 on the most effective outreach, screening, enroll-
 5 ment, and follow-up strategies for the Federal
 6 and State programs.”;

7 (C) in paragraph (26)—

8 (i) in subparagraph (D)—

9 (I) by striking “gaps in”; and

10 (II) by inserting “(including serv-
 11 ices that would permit such individ-
 12 uals to receive long-term care in home
 13 and community-based settings)” after
 14 “individuals”; and

15 (ii) in subparagraph (E), by striking
 16 “and” at the end;

17 (D) in paragraph (27), by striking the pe-
 18 riod at the end and inserting “; and”; and

19 (E) by adding at the end the following:

20 “(28) make available to States information and
 21 technical assistance to support the provision of evi-
 22 dence-based disease prevention and health promotion
 23 services.”; and

24 (2) by striking subsections (b) and (c) and in-
 25 serting the following:

1 “(b) To promote the development and implementation
2 of comprehensive, coordinated systems at Federal, State,
3 and local levels that enable older individuals to receive long-
4 term care in home and community-based settings, in a
5 manner responsive to the needs and preferences of the older
6 individuals and their family caregivers, the Assistant Sec-
7 retary shall, consistent with the applicable provisions of
8 this title—

9 “(1) collaborate, coordinate, and consult with
10 other Federal agencies and departments (other than
11 the Administration on Aging) responsible for formu-
12 lating and implementing programs, benefits, and
13 services related to providing long-term care, and may
14 make grants, contracts, and cooperative agreements
15 with funds received from those other Federal agencies
16 and departments;

17 “(2) conduct research and demonstration projects
18 to identify innovative, cost-effective strategies for
19 modifying State systems of long-term care to—

20 “(A) respond to the needs and preferences of
21 older individuals and family caregivers;

22 “(B) target services to individuals at risk
23 for institutional placement, to permit such indi-
24 viduals to remain in home and community-based
25 settings; and

1 “(C) establish criteria for and promote the
2 implementation (through area agencies on aging,
3 service providers, and such other entities as the
4 Assistant Secretary determines to be appro-
5 priate) of evidence-based programs to assist older
6 individuals and their family caregivers in learn-
7 ing about and making behavioral changes in-
8 tended to reduce the risk of injury, disease, and
9 disability among older individuals;

10 “(3) facilitate, in coordination with the Admin-
11 istrator of the Centers for Medicare & Medicaid Serv-
12 ices, the provision of such care through self-directed
13 care models that—

14 “(A) provide for the assessment of the needs
15 and preferences of an individual at risk for in-
16 stitutional placement to help such individual
17 avoid unnecessary institutional placement and
18 depletion of income and assets to qualify for ben-
19 efits under the Medicaid program under title
20 XIX of the Social Security Act (42 U.S.C. 1396
21 et seq.);

22 “(B) respond to the needs and preferences of
23 such individual and provide the option—

1 “(i) for the individual to direct and
2 control the receipt of supportive services
3 provided; or

4 “(ii) as appropriate, for a person who
5 was appointed by the individual, or is le-
6 gally acting on the individual’s behalf, in
7 order to represent or advise the individual
8 in financial or service coordination matters
9 (referred to in this paragraph as a ‘rep-
10 resentative’ of the individual), to direct and
11 control the receipt of those services; and

12 “(C) assist an older individual (or, as ap-
13 propriate, a representative of the individual) to
14 develop a plan for long-term support, including
15 selecting, budgeting for, and purchasing home
16 and community-based long-term care and sup-
17 portive services;

18 “(4) provide for the Administration to play a
19 lead role with respect to issues concerning home and
20 community-based long-term care, including—

21 “(A) directing (as the Secretary or the
22 President determines to be appropriate) or other-
23 wise participating in departmental and inter-
24 departmental activities concerning long-term
25 care; and

1 “(B) reviewing and commenting on depart-
2 mental rules, regulations, and policies related to
3 providing long-term care; and

4 “(C) making recommendations to the Sec-
5 retary with respect to home and community-
6 based long-term care, including recommendations
7 based on findings made through projects con-
8 ducted under paragraph (2);

9 “(5) promote, in coordination with other appro-
10 priate Federal agencies—

11 “(A) enhanced awareness by the public of
12 the importance of planning in advance for long-
13 term care; and

14 “(B) the availability of information and re-
15 sources to assist in such planning;

16 “(6) implement in each State an Aging and Dis-
17 ability Resource Center—

18 “(A) to serve as a visible and trusted source
19 of information on the full range of options for
20 long-term care, including both institutional and
21 home and community-based care, that are avail-
22 able in the State;

23 “(B) to provide personalized and consumer-
24 friendly assistance to empower individuals to

1 *make informed decisions about their long-term*
2 *care options;*

3 “(C) *to provide coordinated and stream-*
4 *lined access to all publicly funded long-term care*
5 *options so that consumers can obtain the care*
6 *they need through a single intake, assessment,*
7 *and eligibility determination process;*

8 “(D) *to help individuals to plan ahead for*
9 *their long-term care needs; and*

10 “(E) *to assist, in coordination with the en-*
11 *tity carrying out the health insurance informa-*
12 *tion, counseling, and assistance program (receiv-*
13 *ing funding under section 4360 of the Omnibus*
14 *Budget Reconciliation Act of 1990 (42 U.S.C.*
15 *1395b–4)) in the State, beneficiaries, and pro-*
16 *spective beneficiaries, under the Medicare pro-*
17 *gram established under title XVIII of the Social*
18 *Security Act (42 U.S.C. 1395 et seq.) in under-*
19 *standing and accessing prescription drug and*
20 *preventative health benefits under the provisions*
21 *of, and amendments made by, the Medicare Pre-*
22 *scription Drug, Improvement, and Moderniza-*
23 *tion Act of 2003;*

24 “(7) *establish, either directly or through grants*
25 *or contracts, a national technical assistance program*

1 to assist State agencies, area agencies on aging, and
 2 community-based service providers funded under this
 3 Act in implementing home and community-based
 4 long-term care systems, including evidence-based pro-
 5 grams;

6 “(8) develop, in collaboration with the Adminis-
 7 trator of the Centers for Medicare & Medicaid Serv-
 8 ices, performance standards and measures for use by
 9 States to determine the extent to which their State
 10 systems of long-term care fulfill the objectives de-
 11 scribed in this subsection; and

12 “(9) conduct such other activities as the Assist-
 13 ant Secretary determines to be appropriate.

14 “(c) The Assistant Secretary, after consultation with
 15 the Chief Executive Officer of the Corporation for National
 16 and Community Service, shall—

17 “(1) encourage and permit volunteer groups (in-
 18 cluding organizations carrying out national service
 19 programs and including organizations of youth in
 20 secondary or postsecondary school) that are active in
 21 supportive services and civic engagement to partici-
 22 pate and be involved individually or through rep-
 23 resentative groups in supportive service and civic en-
 24 gagement programs or activities to the maximum ex-
 25 tent feasible;

1 “(2) develop a comprehensive strategy for uti-
 2 lizing older individuals to address critical local needs
 3 of national concern; and

4 “(3) encourage other community capacity-build-
 5 ing initiatives involving older individuals.”.

6 **SEC. 5. FEDERAL AGENCY CONSULTATION.**

7 Section 203 of the Older Americans Act of 1965 (42
 8 U.S.C. 3013) is amended—

9 (1) in subsection (a)(3)(A)—

10 (A) by striking “(with particular attention
 11 to low-income minority older individuals and
 12 older individuals residing in rural areas)” and
 13 inserting “(with particular attention to low-in-
 14 come older individuals, including low-income
 15 minority older individuals, older individuals
 16 with limited English proficiency, and older indi-
 17 viduals residing in rural areas)”; and

18 (B) by striking “section 507” and inserting
 19 “section 516”;

20 (2) in subsection (b)—

21 (A) in paragraph (17), by striking “and”
 22 at the end;

23 (B) in paragraph (18), by striking the pe-
 24 riod and inserting “, and”; and

25 (C) by adding at the end the following:

1 “(19) sections 4 and 5 of the Assistive Tech-
2 nology Act of 1998 (29 U.S.C. 3003, 3004).”; and

3 (3) by adding at the end the following:

4 “(c)(1) The Secretary, in collaboration with the Sec-
5 retary of Housing and Urban Development and with the
6 other Federal officials specified in paragraph (2), shall es-
7 tablish an interagency coordinating committee (referred to
8 in this subsection as the ‘Committee’) focusing on the co-
9 ordination of agencies with respect to aging issues, particu-
10 larly issues related to demographic changes and housing
11 needs among older individuals.

12 “(2) The officials referred to in paragraph (1) are the
13 Secretary of Labor, the Secretary of Housing and Urban
14 Development, the Attorney General, the Secretary of Trans-
15 portation, the Secretary of the Treasury, the Secretary of
16 Agriculture, the Commissioner of Social Security, the Sur-
17 geon General, the Administrator of the Centers for Medicare
18 & Medicaid Services, the Director of the Centers for Disease
19 Control and Prevention, the Director of the National Insti-
20 tutes of Health, the Assistant Secretary for Children and
21 Families, the Administrator of the National Highway Traf-
22 fic Safety Administration, and such other Federal officials
23 as the Secretary of Health and Human Services determines
24 to be appropriate.

1 “(3) *The Secretary of Health and Human Services*
2 *shall serve as the first chairperson of the Committee, for*
3 *an initial period of 2 years. After that initial period, the*
4 *Secretary of Housing and Urban Development and the Sec-*
5 *retary of Health and Human Services shall alternate as*
6 *chairpersons of the Committee, each serving as chairperson*
7 *for a period of 2 years.*

8 “(4) *The Committee shall—*

9 “(A) *review all Federal programs and services*
10 *that assist older individuals in finding and affording*
11 *housing, health care, and other services, including*
12 *those Federal programs and services that assist older*
13 *individuals in accessing health care, transportation,*
14 *supportive services, and assistance with daily activi-*
15 *ties, at the place or close to the place where the older*
16 *individuals live;*

17 “(B) *monitor, evaluate, and recommend im-*
18 *provements in programs and services administered,*
19 *funded, or financed by Federal, State, and local agen-*
20 *cies to assist older individuals in meeting their hous-*
21 *ing, health care, and other service needs and make*
22 *any recommendations about how the agencies can bet-*
23 *ter carry out and provide the programs and services*
24 *to house and serve older individuals;*

25 “(C) *recommend ways to—*

1 “(i) facilitate aging in place of older indi-
2 viduals, by identifying and making available the
3 programs and services necessary to enable older
4 individuals to remain in their homes as the indi-
5 viduals age;

6 “(ii) reduce duplication by Federal agencies
7 of programs and services to assist older individ-
8 uals in meeting their housing, health care, and
9 other service needs;

10 “(iii) ensure collaboration among and with-
11 in agencies in providing and making available
12 the programs and services so that older individ-
13 uals are able to easily access needed programs
14 and services;

15 “(iv) work with States to better provide
16 housing, health care, and other services to older
17 individuals by—

18 “(I) holding individual meetings with
19 State representatives;

20 “(II) providing ongoing technical as-
21 sistance to States about better meeting the
22 needs of older individuals; and

23 “(III) working with States to designate
24 State liaisons for the Committee;

1 “(v) identify model programs and services
2 to assist older individuals in meeting their hous-
3 ing, health care, and other service needs, includ-
4 ing model—

5 “(I) programs linking housing, health
6 care, and other services;

7 “(II) financing products offered by
8 government, quasi-government, and private
9 sector entities; and

10 “(III) innovations in technology appli-
11 cations that give older individuals access to
12 information on available services or that
13 help in providing services to older individ-
14 uals;

15 “(vi) collect and disseminate information
16 about older individuals and the programs and
17 services available to the individuals to ensure
18 that the individuals can access comprehensive in-
19 formation; and

20 “(vii) work with the Federal Interagency
21 Forum on Aging-Related Statistics, the Bureau
22 of the Census, and member agencies—

23 “(I) to collect and maintain data relat-
24 ing to the housing, health care, and other
25 service needs of older individuals so that all

1 *such data can be accessed in 1 place on a*
2 *designated website; and*

3 *“(II) to identify and address unmet*
4 *data needs;*

5 *“(D) make recommendations to guide policy and*
6 *program development across Federal agencies with re-*
7 *spect to demographic changes among older individ-*
8 *uals; and*

9 *“(E) actively seek input from and consult with*
10 *all appropriate and interested parties, including pub-*
11 *lic health interest and research groups and founda-*
12 *tions about the activities described in subparagraphs*
13 *(A) through (D).*

14 *“(5) Each year, the Committee shall prepare and sub-*
15 *mit to the President, the Committee on Financial Services*
16 *of the House of Representatives, the Committee on Edu-*
17 *cation and the Workforce of the House of Representatives,*
18 *the Committee on Banking, Housing, and Urban Affairs*
19 *of the Senate, the Committee on Health, Education, Labor,*
20 *and Pensions of the Senate, and the Special Committee on*
21 *Aging of the Senate, a report that—*

22 *“(A) describes the activities and accomplish-*
23 *ments of the Committee in working with Federal,*
24 *State, and local governments, and private organiza-*

1 *tions, in coordinating programs and services to meet*
2 *the requirements of paragraph (4);*

3 *“(B) assesses the level of Federal assistance re-*
4 *quired to meet the needs described in paragraph (4);*

5 *“(C) incorporates an analysis from the head of*
6 *each agency that is a member of the interagency co-*
7 *ordinating committee established under paragraph (1)*
8 *that describes the barriers and impediments, includ-*
9 *ing barriers and impediments in statutory and regu-*
10 *latory law, to the access and use by older individuals*
11 *of programs and services administered by such agen-*
12 *cy; and*

13 *“(D) makes recommendations for appropriate*
14 *legislative and administrative actions to meet the*
15 *needs described in paragraph (4) and for coordi-*
16 *nating programs and services designed to meet those*
17 *needs.*

18 *“(6)(A) The Secretary of Health and Human Services,*
19 *after consultation with the Secretary of Housing and Urban*
20 *Development, shall appoint an executive director of the*
21 *Committee.*

22 *“(B) On the request of the Committee, any Federal*
23 *Government employee may be detailed to the Committee*
24 *without reimbursement, and such detail shall be without*
25 *interruption or loss of civil service status or privilege.”.*

1 **SEC. 6. ADMINISTRATION.**

2 *Section 205(a) of the Older Americans Act of 1965 (42*
3 *U.S.C. 3016(a)) is amended—*

4 *(1) in paragraph (1)—*

5 *(A) in subparagraph (C), by adding “and”*
6 *at the end;*

7 *(B) in subparagraph (D), by striking “;*
8 *and” at the end and inserting a period; and*

9 *(C) by striking subparagraph (E); and*

10 *(2) in paragraph (2)—*

11 *(A) in subparagraph (A)—*

12 *(i) by amending clause (i) to read as*
13 *follows:*

14 *“(i) designing, implementing, and evaluating*
15 *evidence-based programs to support improved nutri-*
16 *tion and regular physical activity for older individ-*
17 *uals;”;*

18 *(ii) by amending clause (iii) to read as*
19 *follows:*

20 *“(iii) conducting outreach and disseminating*
21 *evidence-based information to nutrition service pro-*
22 *viders about the benefits of healthful diets and regular*
23 *physical activity, including information about the*
24 *most current Dietary Guidelines for Americans pub-*
25 *lished under section 301 of the National Nutrition*
26 *Monitoring and Related Research Act of 1990 (7*

1 *U.S.C. 5341), the Food Guide Pyramid published by*
 2 *the Secretary of Agriculture, and advances in nutri-*
 3 *tion science;”;*

4 *(iii) in clause (vii) by striking “and”*
 5 *at the end; and*

6 *(iv) by striking clause (viii) and in-*
 7 *serting the following:*

8 *“(viii) disseminating guidance that describes*
 9 *strategies for improving the nutritional quality of*
 10 *meals provided under title III; and*

11 *“(ix) providing technical assistance to the re-*
 12 *gional offices of the Administration with respect to*
 13 *each duty described in clauses (i) through (viii).”;*
 14 *and*

15 *(B) by amending subparagraph (C)(i) to*
 16 *read as follows:*

17 *“(i) have expertise in nutrition and meal plan-*
 18 *ning; and”.*

19 **SEC. 7. EVALUATION.**

20 *Section 206(g) of the Older Americans Act of 1965 (42*
 21 *U.S.C. 3017(g)) is amended by striking the first sentence*
 22 *and inserting the following: “From the total amount appro-*
 23 *priated for each fiscal year to carry out title III, the Sec-*
 24 *retary may use such sums as may be necessary, but not*
 25 *more than 1/2 of 1 percent of such amount, for purposes*

1 *of conducting evaluations under this section, either directly*
 2 *or by grant or contract.”.*

3 **SEC. 8. REPORTS.**

4 *Section 207(b)(2) of the Older Americans Act of 1965*
 5 *(42 U.S.C. 3018(b)(2)) is amended—*

6 *(1) in subparagraph (B), by striking “Labor”*
 7 *and inserting “the Workforce”; and*

8 *(2) in subparagraph (C), by striking “Labor and*
 9 *Human Resources” and inserting “Health, Edu-*
 10 *cation, Labor, and Pensions”.*

11 **SEC. 9. CONTRACTUAL, COMMERCIAL, AND PRIVATE PAY**
 12 **RELATIONSHIPS; APPROPRIATE USE OF ACT**
 13 **FUNDS.**

14 *(a) PRIVATE PAY RELATIONSHIPS; APPROPRIATE USE*
 15 *OF ACT FUNDS.—Section 212 of the Older Americans Act*
 16 *(42 U.S.C. 3020c) is amended to read as follows:*

17 **“SEC. 212. CONTRACTING AND GRANT AUTHORITY; PRIVATE**
 18 **PAY RELATIONSHIPS; APPROPRIATE USE OF**
 19 **FUNDS.**

20 *“(a) IN GENERAL.—Subject to subsection (b), this Act*
 21 *shall not be construed to prevent a recipient of a grant or*
 22 *a contract under this Act from entering into an agree-*
 23 *ment—*

24 *“(1) with a profitmaking organization;*

1 “(2) under which funds provided under such
2 grant or contract are used to pay part or all of a cost
3 (including an administrative cost) incurred by such
4 recipient to carry out a contract or commercial rela-
5 tionship for the benefit of older individuals or their
6 family caregivers, whether such contract or relation-
7 ship is carried out to implement a provision of this
8 Act or to conduct activities inherently associated with
9 implementing such provision; or

10 “(3) under which any individual, regardless of
11 age or income (including the family caregiver of such
12 individual), who seeks to receive 1 or more services
13 may voluntarily pay, such individual’s own private
14 expense, to receive such services based on the fair
15 market value of such services.

16 “(b) *ENSURING APPROPRIATE USE OF FUNDS.*—An
17 agreement described in subsection (a) may not—

18 “(1) be made without the prior approval of the
19 State agency (or, in the case of a grantee under title
20 VI, without the prior recommendation of the Director
21 of the Office for American Indian, Alaska Native, and
22 Native Hawaiian Aging and the prior approval of the
23 Assistant Secretary);

24 “(2) directly or indirectly provide for, or have
25 the effect of, paying, reimbursing, or otherwise com-

1 *pensating an entity under such agreement in an*
 2 *amount that exceeds the fair market value of the goods*
 3 *or services furnished by such entity under such agree-*
 4 *ment;*

5 *“(3) result in the displacement of services other-*
 6 *wise available to an older individual with greatest so-*
 7 *cial need, an older individual with greatest economic*
 8 *need, or an older individual who is at risk for insti-*
 9 *tutional placement; or*

10 *“(4) in any other way compromise, undermine,*
 11 *or be inconsistent with the objective of serving the*
 12 *needs of older individuals, as determined by the As-*
 13 *stant Secretary.”.*

14 **SEC. 10. NUTRITION EDUCATION.**

15 *Section 214 of the Older Americans Act of 1965 (42*
 16 *U.S.C. 3020e) is amended to read as follows:*

17 **“SEC. 214. NUTRITION EDUCATION.**

18 *“The Assistant Secretary, in consultation with the Sec-*
 19 *retary of Agriculture, shall conduct outreach and provide*
 20 *technical assistance to agencies and organizations that serve*
 21 *older individuals to assist such agencies and organizations*
 22 *to carry out integrated health promotion and disease pre-*
 23 *vention programs that—*

24 *“(1) are designed for older individuals; and*

25 *“(2) include—*

1 “(A) *nutrition education;*
 2 “(B) *physical activity; and*
 3 “(C) *other activities to modify behavior and*
 4 *to improve health literacy, including providing*
 5 *information on optimal nutrient intake, through*
 6 *education and counseling in accordance with sec-*
 7 *tion 339(2)(J).”.*

8 **SEC. 11. PENSION COUNSELING AND INFORMATION PRO-**
 9 **GRAMS.**

10 *Section 215 of the Older Americans Act of 1965 (42*
 11 *U.S.C. 3020e–1) is amended—*

12 (1) *in subsection (e)(1)(J), by striking “and low*
 13 *income retirees” and inserting “, low-income retirees,*
 14 *and older individuals with limited English pro-*
 15 *ficiency”;*

16 (2) *in subsection (f), by amending paragraph (2)*
 17 *to read as follows:*

18 “(2) *The ability of the entity to perform effective*
 19 *outreach to affected populations, particularly popu-*
 20 *lations with limited English proficiency and other*
 21 *populations that are identified as in need of special*
 22 *outreach.”; and*

23 (3) *in subsection (h)(2), by inserting “(including*
 24 *individuals with limited English proficiency)” after*
 25 *“individuals”.*

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 216 of the Older Americans Act of 1965 (42*
 3 *U.S.C. 3020f) is amended—*

4 *(1) in subsection (a) by striking “2001, 2002,*
 5 *2003, 2004, and 2005” and inserting “2007, 2008,*
 6 *2009, 2010, and 2011.”; and*

7 *(2) in subsections (b) and (c) by striking “year”*
 8 *and all that follows through “years”, and inserting*
 9 *“years 2007, 2008, 2009, 2010, and 2011”.*

10 **SEC. 13. PURPOSE; ADMINISTRATION.**

11 *Section 301(a)(2) of the Older Americans Act of 1965*
 12 *(42 U.S.C. 3021(a)(2)) is amended—*

13 *(1) in subparagraph (D), by striking “and” at*
 14 *the end;*

15 *(2) in subparagraph (E), by striking the period*
 16 *at the end and inserting “; and”; and*

17 *(3) by adding at the end the following:*

18 *“(F) organizations with experience in providing*
 19 *senior volunteer services, such as Federal volunteer*
 20 *programs administered by the Corporation for Na-*
 21 *tional and Community Service and designed to pro-*
 22 *vide training, placement, and stipends for volunteers*
 23 *in community service settings.”.*

1 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS; USES OF**
 2 **FUNDS.**

3 *Section 303 of the Older Americans Act of 1965 (42*
 4 *U.S.C. 3023) is amended—*

5 *(1) in subsections (a)(1), (b), and (d), by strik-*
 6 *ing “year 2001” and all that follows through “years”*
 7 *each place it appears, and inserting “years 2007,*
 8 *2008, 2009, 2010, and 2011”; and*

9 *(2) in subsection (e)—*

10 *(A) in paragraph (1) by striking*
 11 *“\$125,000,000” and all that follows and insert-*
 12 *ing “\$160,000,000 for fiscal year 2007.”; and*

13 *(B) in paragraph (2), by striking “such*
 14 *sums” and all that follows and inserting*
 15 *“\$170,000,000 for fiscal year 2008, \$180,000,000*
 16 *for fiscal year 2009, \$190,000,000 for fiscal year*
 17 *2010, and \$200,000,000 for fiscal year 2011.”.*

18 **SEC. 15. ALLOTMENTS.**

19 *Section 304(d)(1)(A) of the Older Americans Act of*
 20 *1965 (42 U.S.C. 3024(d)(1)(A)) is amended to read as fol-*
 21 *lows:*

22 *“(A)(i) such amount as the State agency deter-*
 23 *mines, but not more than 10 percent thereof, shall be*
 24 *available for paying such percentage as the agency*
 25 *determines, but not more than 75 percent, of the cost*
 26 *of administration of area plans; and*

1 “(ii) in addition to that amount, for any fiscal
 2 year among fiscal years 2007 through 2011 for which
 3 the amount appropriated under subsections (a)
 4 through (d) of section 303 is not less than 110 percent
 5 of that appropriated amount for fiscal year 2006, an
 6 amount equal to 1 percent of the State’s allotment
 7 shall be used by the area agencies on aging in the
 8 State to carry out the assessment described in section
 9 306(b);”.

10 **SEC. 16. ORGANIZATION.**

11 Section 305 of the Older Americans Act of 1965 (42
 12 U.S.C. 3025) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)(E)—

15 (i) by striking “(with particular atten-
 16 tion to low-income minority individuals
 17 and older individuals residing in rural
 18 areas)” each place it appears and inserting
 19 “(with particular attention to low-income
 20 older individuals, including low-income mi-
 21 nority older individuals, older individuals
 22 with limited English proficiency, and older
 23 individuals residing in rural areas)”; and

24 (ii) by striking “and” at the end;

25 (B) in paragraph (2)—

1 (i) in subparagraph (E), by striking “,
 2 with particular attention to low-income mi-
 3 nority individuals and older individuals re-
 4 siding in rural areas” and inserting “(with
 5 particular attention to low-income older in-
 6 dividuals, including low-income minority
 7 older individuals, older individuals with
 8 limited English proficiency, and older indi-
 9 viduals residing in rural areas)”; and

10 (ii) in subparagraph (G), by striking
 11 the period and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(3) the State agency shall, consistent with this
 14 section, promote the development and implementation
 15 of a State system of long-term care that is a com-
 16 prehensive, coordinated system that enables older in-
 17 dividuals to receive long-term care in home and com-
 18 munity-based settings, in a manner responsive to the
 19 needs and preferences of the older individuals and
 20 their family caregivers, by—

21 “(A) collaborating, coordinating, and con-
 22 sulting with other agencies in such State respon-
 23 sible for formulating, implementing, and admin-
 24 istering programs, benefits, and services related
 25 to providing long-term care;

1 “(B) participating in any State government
2 activities concerning long-term care, including
3 reviewing and commenting on any State rules,
4 regulations, and policies related to long-term
5 care;

6 “(C) conducting analyses and making rec-
7 ommendations with respect to strategies for
8 modifying the State system of long-term care to
9 better—

10 “(i) respond to the needs and pref-
11 erences of older individuals and family
12 caregivers;

13 “(ii) facilitate the provision, by service
14 providers, of long-term care in home and
15 community-based settings;

16 “(iii) target services to older individ-
17 uals at risk for institutional placement, to
18 permit such individuals to remain in home
19 and community-based settings; and

20 “(iv) implement (through area agencies
21 on aging, service providers, and such other
22 entities as the State determines to be appro-
23 priate) programs to assist older individuals
24 and their family caregivers in learning
25 about and making behavioral changes in-

1 tended to reduce the risk of injury, disease,
 2 and disability among older individuals; and
 3 “(D) providing for the availability and dis-
 4 tribution (through public education campaigns,
 5 Aging and Disability Resource Centers, area
 6 agencies on aging, and other appropriate means)
 7 of information relating to—

8 “(i) the need to plan in advance for
 9 long-term care; and

10 “(ii) the range of available public and
 11 private long-term care programs, options,
 12 and resources.”; and

13 (2) in subsection (b), by adding at the end the
 14 following:

15 “(6) Nothing in this section shall prevent the Common-
 16 wealth of Puerto Rico from designating, with the approval
 17 of the Assistant Secretary, a single planning and service
 18 area to cover all the older individuals in the Common-
 19 wealth.”.

20 **SEC. 17. AREA PLANS.**

21 Section 306 of the Older Americans Act of 1965 (42
 22 U.S.C. 3026) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)—

1 (i) by striking “(with particular atten-
 2 tion to low-income minority individuals
 3 and older individuals residing in rural
 4 areas)” and inserting “(with particular at-
 5 tention to low-income older individuals, in-
 6 cluding low-income minority older individ-
 7 uals, older individuals with limited English
 8 proficiency, and older individuals residing
 9 in rural areas)”;

10 (ii) by striking “(with particular at-
 11 tention to low-income minority individ-
 12 uals)” and inserting “(with particular at-
 13 tention to low-income older individuals, in-
 14 cluding low-income minority older individ-
 15 uals, older individuals with limited English
 16 proficiency, and older individuals residing
 17 in rural areas)”;

18 (iii) by inserting “the number of older
 19 individuals at risk for institutional place-
 20 ment residing in such area,” after “individ-
 21 uals) residing in such area,”;

22 (B) in paragraph (2)(A)—

23 (i) by inserting after “transportation,”
 24 the following: “health services (including
 25 mental health services),”; and

1 (ii) by inserting after “information
 2 and assistance” the following: “(which may
 3 include information and assistance to con-
 4 sumers on availability of services under
 5 part B and how to receive benefits under
 6 and participate in publicly supported pro-
 7 grams for which the consumer may be eligi-
 8 ble)”;

9 (C) in paragraph (4)—

10 (i) in subparagraph (A)—

11 (I) by amending clause (i) to read
 12 as follows:

13 “(i) provide assurances that the area agency on
 14 aging will—

15 “(I) set specific objectives, consistent with
 16 State policy, for providing services to older indi-
 17 viduals with greatest economic need, older indi-
 18 viduals with greatest social need, and older indi-
 19 viduals at risk for institutional placement;

20 “(II) include specific objectives for pro-
 21 viding services to low-income minority older in-
 22 dividuals, older individuals with limited English
 23 proficiency, and older individuals residing in
 24 rural areas; and

1 “(III) include in the area plan proposed
2 methods to achieve such objectives;”; and

3 (II) in clause (ii) by inserting
4 “(including older individuals with lim-
5 ited English proficiency)” after “low-
6 income minority individuals” each
7 place it appears; and
8 (ii) in subparagraph (B)—

9 (I) by moving the left margin of
10 each of subparagraph (B), clauses (i)
11 and (ii), and subclauses (I) through
12 (VI) of clause (i), 2 ems to the left; and

13 (II) in clause (i)—

14 (aa) in subclause (V) by
15 striking “with limited English-
16 speaking ability; and” and insert-
17 ing “with limited English pro-
18 ficiency;”; and

19 (bb) by adding at the end the
20 following:

21 “(VII) older individuals at risk for in-
22 stitutional placement; and”;

23 (D) in paragraph (5), by inserting “and in-
24 dividuals at risk for institutional placement”
25 after “severe disabilities”;

1 (E) in paragraph (6)—

2 (i) in subparagraph (C)—

3 (I) in clause (i), by striking
4 “and” at the end;

5 (II) in clause (ii), by adding
6 “and” at the end; and

7 (III) by inserting after clause (ii)
8 the following:

9 “(iii) make use of trained volunteers in pro-
10 viding direct services delivered to older individ-
11 uals and individuals with disabilities needing
12 such services and, if possible, work in coordina-
13 tion with entities carrying out volunteer pro-
14 grams (including programs administered by the
15 Corporation for National and Community Serv-
16 ices) designed to provide training, placement,
17 and stipends for volunteers in community service
18 settings;”;

19 (ii) in subparagraph (D)—

20 (I) by inserting “family care-
21 givers of such individuals,” after
22 “Act,”; and

23 (II) by inserting “service pro-
24 viders, representatives of the business
25 community,” after “individuals,”; and

1 (iii) in subparagraph (F), by inserting
 2 “(including mental health screening)” before
 3 “provided” each place it appears;

4 (F) in paragraph (7), to read as follows:

5 “(7) provide that the area agency on aging shall,
 6 consistent with this section, facilitate the area-wide
 7 development and implementation of a comprehensive,
 8 coordinated system that enables older individuals to
 9 receive long-term care in home and community-based
 10 settings, in a manner responsive to the needs and
 11 preferences of the older individuals and their family
 12 caregivers, by—

13 “(A) collaborating, coordinating, and con-
 14 sulting with other local public and private agen-
 15 cies and organizations responsible for admin-
 16 istering programs, benefits, and services related
 17 to providing long-term care;

18 “(B) conducting analyses and making rec-
 19 ommendations with respect to strategies for
 20 modifying the local system of long-term care to
 21 better—

22 “(i) respond to the needs and pref-
 23 erences of older individuals and family
 24 caregivers;

1 “(ii) facilitate the provision, by service
2 providers, of long-term care in home and
3 community-based settings;

4 “(iii) target services to older individ-
5 uals at risk for institutional placement, to
6 permit such individuals to remain in home
7 and community-based settings; and

8 “(iv) implement (through the agency or
9 service providers), evidence-based programs
10 to assist older individuals and their family
11 caregivers in learning about and making
12 behavioral changes intended to reduce the
13 risk of injury, disease, and disability
14 among older individuals; and

15 “(C) providing for the availability and dis-
16 tribution (through public education campaigns,
17 Aging and Disability Resource Centers, and
18 other appropriate means) of information relating
19 to—

20 “(i) the need to plan in advance for
21 long-term care; and

22 “(ii) the range of available public and
23 private long-term care programs, options,
24 and resources.”;

25 (G) by striking the 2 paragraphs (15);

1 (H) by redesignating paragraph (16) as
2 paragraph (15); and

3 (I) by adding at the end the following:

4 “(16) provide assurances that funds received
5 under this title will be used—

6 “(A) to provide benefits and services to
7 older individuals giving priority to older indi-
8 viduals identified in paragraph (4)(A)(i); and

9 “(B) in compliance with the assurances
10 specified in paragraph (13) and the limitations
11 specified in section 212(b);

12 “(17) provide, to the extent feasible, for the fur-
13 nishing of services under this Act, consistent with self-
14 directed care; and

15 “(18) include information detailing how the area
16 agency on aging will coordinate activities, and de-
17 velop long-range emergency plans, with local and
18 State emergency response agencies, relief organiza-
19 tions, local and State governments, and any other in-
20 stitutions that have responsibility for disaster relief
21 service delivery.”;

22 (2) by redesignating subsections (b), (c), (d), and
23 (e) as subsections (c), (d), (e), and (f); and

24 (3) by inserting after subsection (a) the fol-
25 lowing:

1 “(b)(1) *In any fiscal year, an area agency on aging*
 2 *may include in the area plan an assessment of how pre-*
 3 *pared the area agency on aging and service providers in*
 4 *the planning and service area are for a change in the num-*
 5 *ber of older individuals during the 10-year period following*
 6 *the fiscal year for which the plan is submitted. In a fiscal*
 7 *year described in section 304(d)(1)(A)(ii), an area agency*
 8 *on aging shall include the assessment in the area plan.*

9 “(2) *Such assessment may include—*

10 “(A) *the projected change in the number of older*
 11 *individuals in the planning and service area;*

12 “(B) *an analysis of how such change may affect*
 13 *such individuals, including individuals with low in-*
 14 *comes, individuals with greatest economic need, mi-*
 15 *nority older individuals, older individuals residing in*
 16 *rural areas, and older individuals with limited*
 17 *English proficiency;*

18 “(C) *an analysis of how the programs, policies,*
 19 *and services provided by such area agency can be im-*
 20 *proved, and how resource levels can be adjusted to*
 21 *meet the needs of the changing population of older in-*
 22 *dividuals in the planning and service area; and*

23 “(D) *an analysis of how the change in the num-*
 24 *ber of individuals age 85 and older in the planning*

1 *and service area is expected to affect the need for sup-*
 2 *portive services.*

3 *“(3) An area agency on aging, in cooperation with*
 4 *government officials, State agencies, tribal organizations, or*
 5 *local entities, may make recommendations to government*
 6 *officials in the planning and service area and the State,*
 7 *on actions determined by the area agency to build the ca-*
 8 *capacity in the planning and service area to meet the needs*
 9 *of older individuals for—*

10 *“(A) health and human services;*

11 *“(B) land use;*

12 *“(C) housing;*

13 *“(D) transportation;*

14 *“(E) public safety;*

15 *“(F) workforce and economic development;*

16 *“(G) recreation;*

17 *“(H) education;*

18 *“(I) civic engagement;*

19 *“(J) emergency preparedness; and*

20 *“(K) any other service as determined by such*
 21 *agency.”.*

22 **SEC. 18. STATE PLANS.**

23 *Section 307(a) of the Older Americans Act of 1965 (42*
 24 *U.S.C. 3027(a)) is amended—*

1 (1) in paragraph (2)(C), by striking “section
2 306(b)” and inserting “section 306(c)”;

3 (2) in paragraph (4), by striking “, with par-
4 ticular attention to low-income minority individuals
5 and older individuals residing in rural areas” and
6 inserting “(with particular attention to low-income
7 minority older individuals, older individuals with
8 limited English proficiency, and older individuals re-
9 siding in rural areas)”;

10 (3) by striking paragraph (15);

11 (4) by redesignating paragraph (14) as para-
12 graph (15);

13 (5) by inserting after paragraph (13) the fol-
14 lowing:

15 “(14) The plan shall, with respect to the fiscal
16 year preceding the fiscal year for which such plan is
17 prepared—

18 “(A) identify the number of low-income mi-
19 nority older individuals in the State, including
20 the number of low-income minority older indi-
21 viduals with limited English proficiency; and

22 “(B) describe the methods used to satisfy the
23 service needs of the low-income minority older
24 individuals described in subparagraph (A), in-
25 cluding the plan to meet the needs of low-income

1 *minority older individuals with limited English*
 2 *proficiency.”;*

3 *(6) in clauses (ii) and (iii) of paragraph (16)(A)*
 4 *by striking “(with particular attention to low-income*
 5 *minority individuals and older individuals residing*
 6 *in rural areas)” each place it appears and inserting*
 7 *“(with particular attention to low-income older indi-*
 8 *viduals, including low-income minority older individ-*
 9 *uals, older individuals with limited English pro-*
 10 *ficiency, and older individuals residing in rural*
 11 *areas)”;* and

12 *(7) by adding at the end the following:*

13 *“(27) The plan shall provide assurances that*
 14 *area agencies on aging will provide, to the extent fea-*
 15 *sible, for the furnishing of services under this Act,*
 16 *consistent with self-directed care.*

17 *“(28)(A) The plan shall include, at the election*
 18 *of the State, an assessment of how prepared the State*
 19 *is, under the State’s statewide service delivery model,*
 20 *for a change in the number of older individuals dur-*
 21 *ing the 10-year period following the fiscal year for*
 22 *which the plan is submitted.*

23 *“(B) Such assessment may include—*

24 *“(i) the projected change in the number of*
 25 *older individuals in the State;*

1 “(ii) an analysis of how such change may
 2 affect such individuals, including individuals
 3 with low incomes, individuals with great eco-
 4 nomic need, minority older individuals, older in-
 5 dividuals residing in rural areas, and older in-
 6 dividuals with limited English proficiency;

7 “(iii) an analysis of how the programs,
 8 policies, and services provided by the State can
 9 be improved, including coordinating with area
 10 agencies on aging, and how resource levels can be
 11 adjusted to meet the needs of the changing popu-
 12 lation of older individuals in the State; and

13 “(iv) an analysis of how the change in the
 14 number of individuals age 85 and older in the
 15 State is expected to affect the need for supportive
 16 services.

17 “(29) The plan shall include information detail-
 18 ing how the State will coordinate activities, and de-
 19 velop long-range emergency preparedness plans, with
 20 area agencies on aging, local emergency response
 21 agencies, relief organizations, local governments, State
 22 agencies responsible for emergency preparedness, and
 23 any other institutions that have responsibility for dis-
 24 aster relief service delivery.

1 “(30) *The plan shall include information de-*
 2 *scribing the involvement of the head of the State agen-*
 3 *cy in the development, revision, and implementation*
 4 *of emergency preparedness plans, including the State*
 5 *Public Health Emergency Preparedness and Response*
 6 *Plan.*”.

7 **SEC. 19. PAYMENTS.**

8 *Section 309(b)(2) of the Older Americans Act of 1965*
 9 *(42 U.S.C. 3029(b)(2)) is amended by striking “the non-*
 10 *Federal share required prior to fiscal year 1981” and in-*
 11 *serting “10 percent of the cost of the services specified in*
 12 *section 304(d)(1)(D)”.*

13 **SEC. 20. NUTRITION SERVICES INCENTIVE PROGRAM.**

14 *Section 311 of the Older Americans Act of 1965 (42*
 15 *U.S.C. 3030a) is amended—*

16 *(1) in subsection (b), by adding at the end the*
 17 *following:*

18 *“(3) Each State agency and grantee under title VI*
 19 *shall promptly and equitably disburse amounts received*
 20 *under this subsection to recipients of grants and contracts.”;*

21 *(2) in subsection (c)—*

22 *(A) in paragraph (1), by inserting “, in-*
 23 *cluding bonus commodities,” after “agricultural*
 24 *commodities”;*

1 (B) in paragraph (2), by inserting “, in-
 2 cluding bonus commodities,” after “food com-
 3 modities”; and

4 (C) in paragraph (3), by inserting “, in-
 5 cluding bonus commodities,” after “Dairy prod-
 6 ucts”;

7 (3) in subsection (d)(4), by inserting “and
 8 grantee under title VI” after “State agency”; and

9 (4) in subsection (e), by striking “2001” and in-
 10 serting “2007”.

11 **SEC. 21. CONSUMER CONTRIBUTIONS.**

12 Section 315 of the Older Americans Act of 1965 (42
 13 U.S.C. 3030c-2) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1)—

16 (i) by striking “provided that” and in-
 17 serting “if”; and

18 (ii) by adding at the end the following:

19 “Such contributions shall be encouraged for
 20 individuals whose self-declared income is at
 21 or above 200 percent of the poverty line, at
 22 contribution levels based on the actual cost
 23 of services.”; and

1 (B) in paragraph (4)(E), by inserting “and
2 to supplement (not supplant) funds received
3 under this Act” after “given”;

4 (2) in subsection (c)(2), by striking “(with par-
5 ticular attention to low-income minority individuals
6 and older individuals residing in rural areas)” and
7 inserting “(with particular attention to low-income
8 older individuals, including low-income minority
9 older individuals, older individuals with limited
10 English proficiency, and older individuals residing in
11 rural areas)”; and

12 (3) in subsection (d), by striking “with par-
13 ticular attention to low-income and minority older
14 individuals and older individuals residing in rural
15 areas” and inserting “(with particular attention to
16 low-income older individuals, including low-income
17 minority older individuals, older individuals with
18 limited English proficiency, and older individuals re-
19 siding in rural areas)”.

20 **SEC. 22. SUPPORTIVE SERVICES AND SENIOR CENTERS.**

21 Section 321(a) of the Older Americans Act of 1965 (42
22 U.S.C. 3030d(a)) is amended—

23 (1) in paragraph (8), by inserting “(including
24 mental health screening)” after “screening”;

1 (2) in paragraph (11) by striking “services” and
 2 inserting “provision of devices and services (including
 3 provision of assistive technology devices and assistive
 4 technology services)”;

5 (3) in paragraph (14)(B) by inserting “(includ-
 6 ing mental health)” after “health”;

7 (4) in paragraph (22) by striking the period at
 8 the end and inserting a semicolon;

9 (5) by redesignating paragraph (23) as para-
 10 graph (24); and

11 (6) by inserting after paragraph (22) the fol-
 12 lowing:

13 “(23) services designed to support States, area
 14 agencies on aging, and local service providers in car-
 15 rying out and coordinating activities for older indi-
 16 viduals with respect to mental health services, includ-
 17 ing outreach for, education concerning, and screening
 18 for such services, and referral to such services for
 19 treatment; and”.

20 **SEC. 23. NUTRITION SERVICES.**

21 After the part heading of part C of title III of the Older
 22 Americans Act of 1965 (42 U.S.C. 3030e et seq.), insert the
 23 following:

1 **“SEC. 330. PURPOSE.**

2 *“It is the purpose of this part to promote socialization*
 3 *and the health and well-being of older individuals by assist-*
 4 *ing such individuals to gain access to nutrition services to*
 5 *delay the onset of adverse health conditions.”.*

6 **SEC. 24. CONGREGATE NUTRITION PROGRAM.**

7 *Section 331 of the Older Americans Act of 1965 (42*
 8 *U.S.C. 3030e) is amended—*

9 (1) *by striking “projects—” and inserting*
 10 *“projects that—”;*

11 (2) *in paragraph (1) by striking “which” the*
 12 *first place it appears;*

13 (3) *in paragraph (2), by striking “which”; and*

14 (4) *by striking paragraph (3) and inserting the*
 15 *following:*

16 *“(3) provide nutrition education, nutrition coun-*
 17 *seling, and other nutrition services, as appropriate,*
 18 *based on the needs of meal participants.”.*

19 **SEC. 25. HOME DELIVERED NUTRITION SERVICES.**

20 *Section 336 of the Older Americans Act of 1965 (42*
 21 *U.S.C. 3030f) is amended to read as follows:*

22 **“SEC. 336. PROGRAM AUTHORIZED.**

23 *“The Assistant Secretary shall establish and carry out*
 24 *a program to make grants to States under State plans ap-*
 25 *proved under section 307 for the establishment and oper-*

1 ation of nutrition projects for older individuals that pro-
 2 vide—

3 “(1) on 5 or more days a week (except in a rural
 4 area where such frequency is not feasible (as defined
 5 by the Assistant Secretary by rule) and a lesser fre-
 6 quency is approved by the State agency) at least 1
 7 home delivered meal per day, which may consist of
 8 hot, cold, frozen, dried, canned, fresh, or supplemental
 9 foods and any additional meals that the recipient of
 10 a grant or contract under this subpart elects to pro-
 11 vide; and

12 “(2) nutrition education, nutrition counseling,
 13 and other nutrition services as appropriate, based on
 14 the needs of meal recipients.”.

15 **SEC. 26. CRITERIA.**

16 Section 337 of the Older Americans Act of 1965 (42
 17 U.S.C. 3030g) is amended to read as follows:

18 **“SEC. 337. CRITERIA.**

19 “The Assistant Secretary, in consultation with recog-
 20 nized experts in the fields of nutrition science, dietetics,
 21 meal planning and food service management, and aging,
 22 shall develop minimum criteria of efficiency and quality
 23 for the furnishing of home delivered meal services for
 24 projects described in section 336.”.

1 **SEC. 27. NUTRITION.**

2 *Section 339 of the Older Americans Act of 1965 (42*
 3 *U.S.C. 3030g–21) is amended—*

4 *(1) in paragraph (1), to read as follows:*

5 *“(1) solicit the advice and expertise of a dieti-*
 6 *tian or other individual with education and training*
 7 *in nutrition science or, if such an individual is not*
 8 *available, an individual with comparable expertise in*
 9 *the planning of nutritional services, and”;* and

10 *(2) in paragraph (2)—*

11 *(A) in subparagraph (A)(i), to read as fol-*
 12 *lows:*

13 *“(i) comply with the most recent Die-*
 14 *tary Guidelines for Americans, published by*
 15 *the Secretary and the Secretary of Agri-*
 16 *culture, and”;*

17 *(B) in subparagraph (D), by inserting*
 18 *“joint” after “encourages”;*

19 *(C) in subparagraph (G), to read as follows:*

20 *“(G) ensures that meal providers solicit the*
 21 *advice and expertise of—*

22 *“(i) a dietitian or other individual de-*
 23 *scribed in paragraph (1),*

24 *“(ii) meal participants, and*

1 “(iii) other individuals knowledgeable
2 with regard to the needs of older individ-
3 uals,”;

4 (D) in subparagraph (I), by striking “and”
5 at the end; and

6 (E) in subparagraph (J), to read as follows:

7 “(J) provides for nutrition screening and
8 nutrition education, and nutrition assessment
9 and counseling if appropriate; and

10 “(K) encourages individuals who distribute
11 nutrition services under subpart 2 to provide, to
12 homebound older individuals, available medical
13 information approved by health care profes-
14 sionals, such as informational brochures and in-
15 formation on how to get vaccines, including vac-
16 cines for influenza, pneumonia, and shingles, in
17 the individuals’ communities.”.

18 **SEC. 28. STUDY OF NUTRITION PROJECTS.**

19 (a) *STUDY.*—

20 (1) *IN GENERAL.*—The Assistant Secretary for
21 Aging shall use funds allocated in section 206(g) of
22 the Older Americans Act of 1965 (42 U.S.C. 3017(g))
23 to enter into a contract with the Food and Nutrition
24 Board of the Institute of Medicine of the National
25 Academy of Sciences, for the purpose of establishing

1 *an independent panel of experts that will conduct an*
2 *evidence-based study of the nutrition projects author-*
3 *ized under such Act.*

4 (2) *STUDY.*—*Such study shall, to the extent data*
5 *are available, include—*

6 (A) *an evaluation of the effect of the nutri-*
7 *tion projects authorized by such Act on—*

8 (i) *improvement of the health status,*
9 *including nutritional status, of participants*
10 *in the projects;*

11 (ii) *prevention of hunger and food in-*
12 *security of the participants; and*

13 (iii) *continuation of the ability of the*
14 *participants to live independently;*

15 (B) *a cost-benefit analysis of nutrition*
16 *projects authorized by such Act, including the*
17 *potential to affect costs of the Medicaid program*
18 *under title XIX of the Social Security Act (42*
19 *U.S.C. 1396 et seq.); and*

20 (C) *an analysis of how nutrition projects*
21 *authorized by such Act may be modified to im-*
22 *prove the outcomes described in subparagraph*
23 *(A), including by improving the nutritional*
24 *quality of the meals provided through the*
25 *projects and undertaking other potential strate-*

1 gives to improve the nutritional status of the par-
2 ticipants.

3 (b) *REPORTS.*—

4 (1) *REPORT TO THE ASSISTANT SECRETARY.*—

5 *The panel described in subsection (a) shall submit to*
6 *the Assistant Secretary a report containing the results*
7 *of the evidence-based study described in subsection*
8 *(a), including any recommendations resulting from*
9 *the analysis described in subsection (a)(2)(C).*

10 (2) *REPORT TO CONGRESS.*—*The Assistant Sec-*
11 *retary shall submit a report containing the results de-*
12 *scribed in paragraph (1) to the Committee on Edu-*
13 *cation and the Workforce of the House of Representa-*
14 *tives and the Committee on Health, Education,*
15 *Labor, and Pensions of the Senate.*

16 (c) *TIMING.*—*The Food and Nutrition Board shall es-*
17 *tablish the independent panel of experts described in sub-*
18 *section (a) not later than 90 days after the date of the enact-*
19 *ment of this Act. The panel shall submit the report described*
20 *in subsection (b)(1) to the Assistant Secretary not later*
21 *than 24 months after the date of the enactment of this Act.*

1 **SEC. 29. IMPROVING INDOOR AIR QUALITY IN BUILDINGS**

2 **WHERE OLDER INDIVIDUALS CONGREGATE.**

3 *Section 361 of the Older Americans Act of 1965 (42*
 4 *U.S.C. 3030m) is amended by adding at the end the fol-*
 5 *lowing:*

6 *“(c) The Assistant Secretary shall work in consultation*
 7 *with qualified experts to provide information on methods*
 8 *of improving indoor air quality in buildings where older*
 9 *individuals congregate.”.*

10 **SEC. 30. CAREGIVER SUPPORT PROGRAM DEFINITIONS.**

11 *Section 372 of the Older Americans Act of 1965 (42*
 12 *U.S.C. 3030s) is amended—*

13 *(1) in paragraph (1), by inserting “or an adult*
 14 *child with mental retardation or a related develop-*
 15 *mental disability” after “age”;*

16 *(2) in paragraph (2), by inserting before the pe-*
 17 *riod the following: “or an individual with Alzheimer’s*
 18 *disease or a related disorder with neurological and or-*
 19 *ganic brain dysfunction who is 50 years of age or*
 20 *older”;*

21 *(3) in paragraph (3)—*

22 *(A) by striking “child” the first place it ap-*
 23 *pears and inserting “child (including an adult*
 24 *child with mental retardation or a related devel-*
 25 *opmental disability)”;*

1 (B) by striking “a child by blood or mar-
 2 riage” and inserting “such a child by blood,
 3 marriage, or adoption”; and

4 (C) by striking “60” and inserting “55”;

5 (4) by redesignating paragraphs (2) and (3) as
 6 paragraphs (3) and (4), respectively; and

7 (5) by inserting after paragraph (1) the fol-
 8 lowing:

9 “(2) *DEVELOPMENTAL DISABILITY.*—The term
 10 ‘developmental disability’ has the meaning given the
 11 term in section 102 of the Developmental Disabilities
 12 Assistance and Bill of Rights Act of 2000 (42 U.S.C.
 13 15002).”.

14 **SEC. 31. CAREGIVER SUPPORT PROGRAM.**

15 Section 373 of the National Family Support Caregiver
 16 Act (42 U.S.C. 3030s–1) is amended—

17 (1) in subsection (b)(3), by striking “caregivers
 18 to assist” and all that follows through the end and in-
 19 serting the following: “assist the caregivers in the
 20 areas of health, nutrition, and financial literacy, and
 21 in making decisions and solving problems relating to
 22 their caregiving roles;”;

23 (2) in subsection (c)(2)—

24 (A) by striking “(as defined” and all that
 25 follows and inserting a period; and

1 (B) by adding at the end the following: “In
 2 providing services for family caregivers under
 3 this subpart, the State shall give priority for
 4 services to family caregivers who provide care for
 5 older individuals.”;

6 (3) in subsection (d), to read as follows:

7 “(d) *USE OF VOLUNTEERS.*—In carrying out this sub-
 8 part, each area agency on aging shall make use of trained
 9 volunteers to expand the provision of the available services
 10 described in subsection (b) and shall, if possible, work in
 11 coordination with entities carrying out volunteer programs
 12 (including programs administered by the Corporation for
 13 National and Community Service) designed to provide
 14 training, placement, and stipends for volunteers in commu-
 15 nity service settings.”;

16 (4) in subsection (e)(3), by adding at the end the
 17 following: “The reports shall describe any mechanisms
 18 used in the State to provide to persons who are fam-
 19 ily caregivers, or grandparents or older individuals
 20 who are relative caregivers, information about and
 21 access to various services so that the persons can bet-
 22 ter carry out their care responsibilities.”; and

23 (5) in subsection (f)(1), by striking “2001
 24 through 2005” and inserting “2007, 2008, 2009,
 25 2010, and 2011”.

1 **SEC. 32. ACTIVITIES AND PROGRAMS OF NATIONAL SIGNIFI-**
 2 **CANCE.**

3 *Section 376(a) of the National Family Support Care-*
 4 *giver Act (42 U.S.C. 3030s-12(a)) is amended—*

5 *(1) by striking the title heading and inserting*
 6 *the following:*

7 **“SEC. 376. ACTIVITIES AND PROGRAMS OF NATIONAL SIG-**
 8 **NIFICANCE.”;**

9 *(2) by striking “(a) IN GENERAL.—”;*

10 *(3) by striking “shall” and inserting “may”;*

11 *(4) by striking “program” and inserting “activi-*
 12 *ties that include”;*

13 *(5) by striking “research.” and inserting “re-*
 14 *search, and programs that include—*

15 *“(1) multigenerational programs, including pro-*
 16 *grams that provide supports for grandparents and*
 17 *other older individuals who are relative caregivers (as*
 18 *defined in section 372) raising children (such as kin-*
 19 *ship navigator programs), and programs that sustain*
 20 *and replicate innovative multigenerational family*
 21 *support programs involving volunteers who are older*
 22 *individuals;*

23 *“(2) programs providing support and informa-*
 24 *tion to families who have a child with a disability or*
 25 *chronic illness, and to other families in need of family*
 26 *support programs;*

1 “(3) programs addressing unique issues faced by
2 rural caregivers;

3 “(4) programs focusing on the needs of older in-
4 dividuals with Alzheimer’s disease and related demen-
5 tia and their caregivers; and

6 “(5) programs supporting caregivers in the roles
7 the caregivers carry out in health promotion and dis-
8 ease prevention.”; and

9 (6) by striking subsection (b).

10 **SEC. 33. GRANT PROGRAMS.**

11 Section 411 of the Older Americans Act of 1965 (42
12 U.S.C. 3032) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (8), by striking “and” at
15 the end;

16 (B) by redesignating paragraph (9) as
17 paragraph (11); and

18 (C) by inserting after paragraph (8) the fol-
19 lowing:

20 “(9) planning activities to prepare communities
21 for the aging of the population, which activities may
22 include—

23 “(A) efforts to assess the aging population;

1 “(B) activities to coordinate the activities of
 2 State and local agencies in order to meet the
 3 needs of older individuals; and

4 “(C) training and technical assistance to
 5 support States, area agencies on aging, and trib-
 6 al organizations receiving grants under part A
 7 of title VI, in engaging in community planning
 8 activities;

9 “(10) the development, implementation, and as-
 10 sessment of technology-based service models and best
 11 practices, to support the use of health monitoring and
 12 assessment technologies, communication devices, as-
 13 sistive technologies, and other technologies that may
 14 remotely connect family and professional caregivers to
 15 frail older individuals residing in home and commu-
 16 nity-based settings or rural areas; and”.

17 **SEC. 34. CAREER PREPARATION FOR THE FIELD OF AGING.**

18 Section 412(a) of the Older Americans Act of 1965 (42
 19 U.S.C. 3032a(a)) is amended to read as follows:

20 “(a) GRANTS.—The Assistant Secretary shall make
 21 grants to institutions of higher education, including histori-
 22 cally Black colleges or universities, Hispanic-serving insti-
 23 tutions, Hispanic Centers of Excellence in Applied Geron-
 24 tology, and other educational institutions that serve the

1 *needs of minority students, to provide education and train-*
 2 *ing that prepare students for careers in the field of aging.”.*

3 **SEC. 35. HEALTH CARE SERVICE DEMONSTRATION**
 4 **PROJECTS IN RURAL AREAS.**

5 *Section 414 of the Older Americans Act of 1965 (42*
 6 *U.S.C. 3032c) is amended—*

7 *(1) in subsection (a), by inserting “mental health*
 8 *care,” after “adult day health care,”; and*

9 *(2) in subsection (b)(1)(B)(i), by inserting “men-*
 10 *tal health,” after “public health,”.*

11 **SEC. 36. TECHNICAL ASSISTANCE AND INNOVATION TO IM-**
 12 **PROVE TRANSPORTATION FOR OLDER INDI-**
 13 **VIDUALS.**

14 *Section 416 of the Older Americans Act of 1965 (42*
 15 *U.S.C. 3032e) is amended to read as follows:*

16 **“SEC. 416. TECHNICAL ASSISTANCE AND INNOVATION TO**
 17 **IMPROVE TRANSPORTATION FOR OLDER IN-**
 18 **DIVIDUALS.**

19 *“(a) IN GENERAL.—The Secretary may award grants*
 20 *or contracts to nonprofit organizations to improve trans-*
 21 *portation services for older individuals.*

22 *“(b) USE OF FUNDS.—*

23 *“(1) IN GENERAL.—A nonprofit organization re-*
 24 *ceiving a grant or contract under subsection (a) shall*
 25 *use the funds received through such grant or contract*

1 *to carry out a demonstration project, or to provide*
 2 *technical assistance to assist local transit providers,*
 3 *area agencies on aging, senior centers, and local sen-*
 4 *ior support groups, to encourage and facilitate coordi-*
 5 *nation of Federal, State, and local transportation*
 6 *services and resources for older individuals. The orga-*
 7 *nization may use the funds to develop and carry out*
 8 *an innovative transportation demonstration project to*
 9 *create transportation services for older individuals.*

10 “(2) *SPECIFIC ACTIVITIES.*—*In carrying out a*
 11 *demonstration project or providing technical assist-*
 12 *ance under paragraph (1) the organization may*
 13 *carry out activities that include—*

14 “(A) *developing innovative approaches for*
 15 *improving access by older individuals to trans-*
 16 *portation services, including volunteer driver*
 17 *programs, economically sustainable transpor-*
 18 *tation programs, and programs that allow older*
 19 *individuals to transfer their automobiles to a*
 20 *provider of transportation services in exchange*
 21 *for the services;*

22 “(B) *preparing information on transpor-*
 23 *tation options and resources for older individ-*
 24 *uals and organizations serving such individuals,*
 25 *and disseminating the information by estab-*

1 *lishing and operating a toll-free telephone num-*
 2 *ber;*

3 *“(C) developing models and best practices*
 4 *for providing comprehensive integrated transpor-*
 5 *tation services for older individuals, including*
 6 *services administered by the Secretary of Trans-*
 7 *portation, by providing ongoing technical assist-*
 8 *ance to agencies providing services under title*
 9 *III and by assisting in coordination of public*
 10 *and community transportation services; and*

11 *“(D) providing special services to link sen-*
 12 *iors to transportation services not provided*
 13 *under title III.*

14 *“(c) ECONOMICALLY SUSTAINABLE TRANSPOR-*
 15 *TATION.—In this section, the term ‘economically sustainable*
 16 *transportation’ means demand responsive transportation*
 17 *for older individuals—*

18 *“(1) that may be provided through volunteers;*
 19 *and*

20 *“(2) that the provider will provide without re-*
 21 *ceiving Federal or other public financial assistance,*
 22 *after a period of not more than 5 years of providing*
 23 *the services under this section.”.*

1 **SEC. 37. COMMUNITY PLANNING.**

2 *Title IV of the Older Americans Act of 1965 is amend-*
 3 *ed by inserting after section 416 (42 U.S.C. 3032e) the fol-*
 4 *lowing:*

5 **“SEC. 416A. COMMUNITY PLANNING FOR THE AGING POPU-**
 6 **LATION.**

7 *“The Secretary may establish, either directly or*
 8 *through grants or contracts, a national technical assistance*
 9 *program to assist States and area agencies on aging funded*
 10 *under this Act in planning efforts to prepare communities*
 11 *for the aging of the population.”.*

12 **SEC. 38. DEMONSTRATION, SUPPORT, AND RESEARCH**
 13 **PROJECTS FOR MULTIGENERATIONAL AC-**
 14 **TIVITIES AND CIVIC ENGAGEMENT ACTIVI-**
 15 **TIES.**

16 *Section 417 of the Older Americans Act of 1965 (42*
 17 *U.S.C. 3032f) is amended to read as follows:*

18 **“SEC. 417. DEMONSTRATION, SUPPORT, AND RESEARCH**
 19 **PROJECTS FOR MULTIGENERATIONAL AC-**
 20 **TIVITIES AND CIVIC ENGAGEMENT ACTIVI-**
 21 **TIES.**

22 *“(a) GRANTS AND CONTRACTS.—The Assistant Sec-*
 23 *retary shall award grants and enter into contracts with eli-*
 24 *gible organizations to—*

25 *“(1) conduct productivity and cost-benefit re-*
 26 *search to determine the effectiveness of engaging older*

1 *individuals in paid and unpaid positions with public*
2 *and nonprofit organizations;*

3 “(2) *develop a national agenda and blueprint for*
4 *creating paid and unpaid positions for older individ-*
5 *uals with public and nonprofit organizations to in-*
6 *crease the capacity of the organizations to provide*
7 *needed services to communities;*

8 “(3) *carry out demonstration and support*
9 *projects to provide older individuals with*
10 *multigenerational activities, and civic engagement ac-*
11 *tivities, designed to meet critical community needs;*
12 *and*

13 “(4) *carry out demonstration projects to coordi-*
14 *nate multigenerational activities and civic engage-*
15 *ment activities, and facilitate development of and*
16 *participation in multigenerational activities.*

17 “(b) *USE OF FUNDS.—An eligible organization shall*
18 *use funds made available under a grant awarded, or a con-*
19 *tract entered into, under subsection (a)—*

20 “(1)(A) *to conduct the research described in sub-*
21 *section (a)(1);*

22 “(B) *to develop the national agenda and blue-*
23 *print described in subsection (a)(2);*

24 “(C) *to carry out a demonstration or support*
25 *project described in subsection (a)(3); or*

1 “(D) to carry out a demonstration project de-
2 scribed in subsection (a)(4); and

3 “(2) to evaluate the project involved in accord-
4 ance with subsection (f).

5 “(c) PREFERENCE.—In awarding grants and entering
6 into contracts under subsection (a) to carry out a dem-
7 onstration or support project described in subsection (a)(3),
8 the Assistant Secretary shall give preference to—

9 “(1) eligible organizations with a demonstrated
10 record of carrying out multigenerational activities or
11 civic engagement activities;

12 “(2) eligible organizations proposing
13 multigenerational activity service projects that will
14 serve older individuals and communities with the
15 greatest need (with particular attention to low-income
16 minority older individuals, older individuals with
17 limited English proficiency, older individuals resid-
18 ing in rural areas, and low-income minority commu-
19 nities);

20 “(3) eligible organizations proposing civic en-
21 gagement activity service projects that will serve com-
22 munities with the greatest need; and

23 “(4) eligible organizations with the capacity to
24 develop meaningful roles and assignments that use the

1 *time, skills, and experience of older individuals to*
 2 *serve public and nonprofit organizations.*

3 “(d) *APPLICATION.—To be eligible to receive a grant*
 4 *or a contract under subsection (a), an organization shall*
 5 *submit an application to the Assistant Secretary at such*
 6 *time, in such manner, and accompanied by such informa-*
 7 *tion as the Assistant Secretary may reasonably require.*

8 “(e) *ELIGIBLE ORGANIZATIONS.—Organizations eligi-*
 9 *ble to receive a grant or enter into a contract under sub-*
 10 *section (a)—*

11 “(1) *to carry out activities described in sub-*
 12 *section (a)(1), shall be research or academic organiza-*
 13 *tions with the capacity to conduct productivity and*
 14 *cost-benefit research described in subsection (a)(1);*

15 “(2) *to carry out activities described in sub-*
 16 *section (a)(2), shall be organizations with the capac-*
 17 *ity to develop the national agenda and blueprint de-*
 18 *scribed in subsection (a)(2);*

19 “(3) *to carry out activities described in sub-*
 20 *section (a)(3), shall be organizations that provide*
 21 *paid or unpaid positions for older individuals to*
 22 *serve in multigenerational activities, or civic engage-*
 23 *ment activities, designed to meet critical community*
 24 *needs and use the full range of time, skills, and expe-*
 25 *rience of older individuals; and*

1 “(4) to carry out activities described in sub-
2 section (a)(4), shall be organizations with the capac-
3 ity to facilitate and coordinate activities as described
4 in subsection (a)(4), through the use of
5 multigenerational coordinators.

6 “(f) *LOCAL EVALUATION AND REPORT.*—

7 “(1) *EVALUATION.*—Each organization receiving
8 a grant or a contract under subsection (a) to carry
9 out a demonstration or support project under sub-
10 section (a)(3) shall evaluate the multigenerational ac-
11 tivities or civic engagement activities assisted under
12 the project to determine the effectiveness of the activi-
13 ties involved, the impact of such activities on the com-
14 munity being served and the organization providing
15 the activities, and the impact of such activities on
16 older individuals involved in such project.

17 “(2) *REPORT.*—The organization shall submit a
18 report to the Assistant Secretary containing the eval-
19 uation not later than 6 months after the expiration
20 of the period for which the grant or contract is in ef-
21 fect.

22 “(g) *REPORT TO CONGRESS.*—Not later than 6 months
23 after the Assistant Secretary receives the reports described
24 in subsection (f)(2), the Assistant Secretary shall prepare
25 and submit to the Speaker of the House of Representatives

1 *and the President pro tempore of the Senate a report that*
2 *assesses the evaluations and includes, at a minimum—*

3 “(1) *the names or descriptive titles of the dem-*
4 *onstration, support, and research projects funded*
5 *under subsection (a);*

6 “(2) *a description of the nature and operation of*
7 *the projects;*

8 “(3) *the names and addresses of organizations*
9 *that conducted the projects;*

10 “(4) *in the case of demonstration and support*
11 *projects carried out under subsection (a)(3), a de-*
12 *scription of the methods and success of the projects in*
13 *recruiting older individuals as employees and volun-*
14 *teers to participate in the projects;*

15 “(5) *in the case of demonstration and support*
16 *projects carried out under subsection (a)(3), a de-*
17 *scription of the success of the projects in retaining*
18 *older individuals involved in the projects as employees*
19 *and as volunteers;*

20 “(6) *in the case of demonstration and support*
21 *projects carried out under subsection (a)(3), the rate*
22 *of turnover of older individual employees and volun-*
23 *teers in the projects;*

1 “(7) a strategy for disseminating the findings re-
 2 sulting from the projects described in paragraph (1);
 3 and

4 “(8) any policy change recommendations relat-
 5 ing to the projects.

6 “(h) *DEFINITIONS.*—As used in this section:

7 “(1) *CIVIC ENGAGEMENT ACTIVITY.*—The term
 8 ‘civic engagement activity’ includes an opportunity
 9 that uses the time, skills, and experience of older indi-
 10 viduals, in paid or unpaid positions with a public or
 11 nonprofit organization, to help address the unmet
 12 human, educational, health care, environmental, and
 13 public safety needs, and nurture and sustain active
 14 participation in community affairs.

15 “(2) *MULTIGENERATIONAL ACTIVITY.*—The term
 16 ‘multigenerational activity’ includes an opportunity
 17 that uses the time, skills, and experience of older indi-
 18 viduals, in paid or unpaid positions with a public or
 19 nonprofit organization, to serve as a mentor or ad-
 20 viser in a child care program, a youth day care pro-
 21 gram, an educational assistance program, an at-risk
 22 youth intervention program, a juvenile delinquency
 23 treatment program, a before- or after-school program,
 24 or a family support program.

1 “(3) *MULTIGENERATIONAL COORDINATOR.*—*The*
 2 *term ‘multigenerational coordinator’ means a person*
 3 *who—*

4 “(A) *builds the capacity of public and non-*
 5 *profit organizations to develop meaningful roles*
 6 *and assignments, that use the time, skill, and ex-*
 7 *perience of older individuals to serve those orga-*
 8 *nizations; and*

9 “(B) *nurtures productive, sustainable work-*
 10 *ing relationships between—*

11 “(i) *individuals from the generations*
 12 *with older individuals; and*

13 “(ii) *individuals in younger genera-*
 14 *tions.”.*

15 **SEC. 39. NATIVE AMERICAN PROGRAMS.**

16 *Section 418(a)(2)(B)(i) of the Older Americans Act of*
 17 *1965 (42 U.S.C. 3032g)(a)(2)(B)(i)) is amended by insert-*
 18 *ing “(including mental health)” after “health”.*

19 **SEC. 40. MULTIDISCIPLINARY CENTERS AND MULTIDISCI-**
 20 **PLINARY SYSTEMS.**

21 *Section 419 of the Older Americans Act of 1965 (42*
 22 *U.S.C. 3032h) is amended—*

23 (1) *by striking the title and inserting the fol-*
 24 *lowing:*

1 **“SEC. 419. MULTIDISCIPLINARY CENTERS AND MULTIDISCI-**
 2 **PLINARY SYSTEMS.”;**

3 (2)(A) in subsection (b)(2), by redesignating sub-
 4 paragraphs (A) through (G) as clauses (i) through
 5 (vii), respectively;

6 (B) in subsection (c)(2), by redesignating sub-
 7 paragraphs (A) through (D) as clauses (i) through
 8 (iv), respectively; and

9 (C) by aligning the margins of the clauses de-
 10 scribed in subparagraphs (A) and (B) with the mar-
 11 gins of clause (iv) of section 418(a)(2)(A) of such Act;

12 (3)(A) in subsection (b), by redesignating para-
 13 graphs (1) and (2) as subparagraphs (A) and (B), re-
 14 spectively;

15 (B) in subsection (c), by redesignating para-
 16 graphs (1) and (2) as subparagraphs (A) and (B), re-
 17 spectively; and

18 (C) by aligning the margins of the subpara-
 19 graphs described in subparagraphs (A) and (B) with
 20 the margins of subparagraph (D) of section 420(a)(1)
 21 of such Act;

22 (4) in subsection (a), by striking “(a)” and all
 23 that follows through “The” and inserting the fol-
 24 lowing:

25 “(a) MULTIDISCIPLINARY CENTERS.—

26 “(1) PROGRAM AUTHORIZED.—The”;

1 (5) *in subsection (b)—*

2 (A) *by striking the following:*

3 “(b) *USE OF FUNDS.—*” *and inserting the following:*

4 “(2) *USE OF FUNDS.—*”; *and*

5 (B) *by striking “subsection (a)” each place*
6 *it appears and inserting “paragraph (1)”;*

7 (6) *in subsection (c)—*

8 (A) *by striking the following:*

9 “(c) *DATA.—*” *and inserting the following:*

10 “(3) *DATA.—*”;

11 (B) *by striking “subsection (a)” and insert-*
12 *ing “paragraph (1)”;*

13 (C) *by striking “such subsection” and in-*
14 *serting “such paragraph”;*

15 (D) *by striking “paragraph (1)” and insert-*
16 *ing “subparagraph (A)”;* *and*

17 (E) *by striking “this section” and inserting*
18 *“this subsection”;* *and*

19 (7) *by adding at the end the following:*

20 “(b) *MULTIDISCIPLINARY HEALTH SERVICES IN COM-*
21 *MUNITIES.—*

22 “(1) *PROGRAM AUTHORIZED.—The Assistant*
23 *Secretary shall make grants to States, on a competi-*
24 *tive basis, for the development and operation of—*

1 “(A) *systems for the delivery of mental*
 2 *health screening and treatment services for older*
 3 *individuals who lack access to such services; and*

4 “(B) *programs to—*

5 “(i) *increase public awareness regard-*
 6 *ing the benefits of prevention and treatment*
 7 *of mental disorders in older individuals;*

8 “(ii) *reduce the stigma associated with*
 9 *mental disorders in older individuals and*
 10 *other barriers to the diagnosis and treat-*
 11 *ment of the disorders; and*

12 “(iii) *reduce age-related prejudice and*
 13 *discrimination regarding mental disorders*
 14 *in older individuals.*

15 “(2) *APPLICATION.—To be eligible to receive a*
 16 *grant under this subsection for a State, a State agen-*
 17 *cy shall submit an application to the Assistant Sec-*
 18 *retary at such time, in such manner, and containing*
 19 *such information as the Assistant Secretary may re-*
 20 *quire.*

21 “(3) *STATE ALLOCATION AND PRIORITIES.—A*
 22 *State agency that receives funds through a grant*
 23 *made under this subsection shall allocate the funds to*
 24 *area agencies on aging to carry out this subsection in*
 25 *planning and service areas in the State. In allocating*

1 *the funds, the State agency shall give priority to*
 2 *planning and service areas in the State—*

3 “(A) *that are medically underserved; and*

4 “(B) *in which there are large numbers of*
 5 *older individuals.*

6 “(4) *AREA COORDINATION OF SERVICES WITH*
 7 *OTHER PROVIDERS.—In carrying out this part, to*
 8 *more efficiently and effectively deliver services to older*
 9 *individuals, each area agency on aging shall—*

10 “(A) *coordinate services described in para-*
 11 *graph (1) with other community agencies, and*
 12 *voluntary organizations, providing similar or re-*
 13 *lated services; and*

14 “(B) *to the greatest extent practicable, inte-*
 15 *grate outreach and educational activities with*
 16 *existing (as of the date of the integration) health*
 17 *care and social service providers serving older*
 18 *individuals in the planning and service area in-*
 19 *volved.*

20 “(5) *RELATIONSHIP TO OTHER FUNDING*
 21 *SOURCES.—Funds made available under this part*
 22 *shall supplement, and not supplant, any Federal,*
 23 *State, and local funds expended by a State or unit of*
 24 *general purpose local government (including an area*

1 agency on aging) to provide the services described in
2 paragraph (1).

3 “(6) *DEFINITION.*—In this subsection, the term
4 ‘mental health screening and treatment services’
5 means patient screening, diagnostic services, care
6 planning and oversight, therapeutic interventions,
7 and referrals, that are—

8 “(A) provided pursuant to evidence-based
9 intervention and treatment protocols (to the ex-
10 tent such protocols are available) for mental dis-
11 orders prevalent in older individuals; and

12 “(B) coordinated and integrated with the
13 services of social service, mental health, and
14 health care providers in an area in order to—

15 “(i) improve patient outcomes; and

16 “(ii) ensure, to the maximum extent
17 feasible, the continuing independence of
18 older individuals who are residing in the
19 area.”.

20 **SEC. 41. COMMUNITY INNOVATIONS FOR AGING IN PLACE.**

21 Part A of title IV of the Older Americans Act of 1965
22 (42 U.S.C. 3031 et seq.) is amended by adding at the end
23 the following:

1 **“SEC. 422. COMMUNITY INNOVATIONS FOR AGING IN**
2 **PLACE.**

3 “(a) *DEFINITIONS.—In this section:*

4 “(1) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
5 *ty’—*

6 “(A) *means a nonprofit health or social*
7 *service organization, a community-based non-*
8 *profit organization, an area agency on aging or*
9 *other local government agency, a tribal organiza-*
10 *tion, or another entity that—*

11 “(i) *the Assistant Secretary determines*
12 *to be appropriate to carry out a project*
13 *under this part; and*

14 “(ii) *demonstrates a record of, and ex-*
15 *perience in, providing or administering*
16 *group and individual health and social*
17 *services for older individuals; and*

18 “(B) *does not include an entity providing*
19 *housing under the congregate housing services*
20 *program carried out under section 802 of the*
21 *Cranston-Gonzalez National Affordable Housing*
22 *Act (42 U.S.C. 8011) or the multifamily service*
23 *coordinator program carried out under section*
24 *202(g) of the Housing Act of 1959 (12 U.S.C.*
25 *1701q(g)).*

1 “(2) *NATURALLY OCCURRING RETIREMENT COM-*
 2 *MUNITY.—The term ‘Naturally Occurring Retirement*
 3 *Community’ means a residential building, a housing*
 4 *complex, an area (including a rural area) of single*
 5 *family residences, or a neighborhood composed of age-*
 6 *integrated housing—*

7 “(A) *where—*

8 “(i) *40 percent of the heads of house-*
 9 *holds are older individuals; or*

10 “(ii) *a critical mass of older individ-*
 11 *uals exists, based on local factors which,*
 12 *taken in total, allow an organization to*
 13 *achieve efficiencies in the provision of*
 14 *health and social services to older individ-*
 15 *uals living in the community; and*

16 “(B) *that is not an institutional care or as-*
 17 *sisted living setting.*

18 “(b) *GRANTS.—*

19 “(1) *IN GENERAL.—The Assistant Secretary*
 20 *shall make grants to eligible entities to enable the en-*
 21 *tities to pay for developing or carrying out model*
 22 *aging in place projects. The projects shall permit*
 23 *aging in place for older individuals, including such*
 24 *individuals who reside in Naturally Occurring Re-*
 25 *irement Communities, which help to sustain the*

1 *independence of older individuals in communities*
 2 *where the individuals have established personal, fam-*
 3 *ily, and professional supportive networks. The entities*
 4 *shall provide comprehensive and coordinated health*
 5 *and social services through the projects.*

6 “(2) *GRANT PERIODS.*—*The Assistant Secretary*
 7 *shall make the grants for periods of 3 years.*

8 “(c) *APPLICATIONS.*—

9 “(1) *IN GENERAL.*—*To be eligible to receive a*
 10 *grant under subsection (b) for a project, an entity*
 11 *shall submit an application to the Assistant Secretary*
 12 *at such time, in such manner, and containing such*
 13 *information as the Assistant Secretary may require.*

14 “(2) *CONTENTS.*—*The application shall in-*
 15 *clude—*

16 “(A) *a detailed description of the entity’s*
 17 *experience in providing services to older individ-*
 18 *uals in age-integrated settings;*

19 “(B) *a definition of the contiguous service*
 20 *area and a description of the project boundaries*
 21 *in which the older individuals reside or carry*
 22 *out activities to sustain their well-being;*

23 “(C) *a description of how the entity will co-*
 24 *operate and coordinate planning and services,*
 25 *with agencies and organizations that provide*

1 *publicly supported services for older individuals*
2 *within the project boundaries, including the*
3 *State agency and area agencies on aging with*
4 *planning and service areas within the project*
5 *boundaries;*

6 “(D) *an assurance that the entity will seek*
7 *to establish cooperative relationships with inter-*
8 *ested local entities, including private agencies*
9 *and businesses that provide health and social*
10 *services, housing entities, community develop-*
11 *ment organizations, philanthropic organizations,*
12 *foundations, and other non-Federal entities;*

13 “(E) *a description of the entity’s protocol*
14 *for referral of residents who may require long-*
15 *term care services, including coordination with*
16 *local information and referral agencies and*
17 *Aging and Disability Resource Centers who serve*
18 *as single points of entry to public services;*

19 “(F) *a description of how the entity will*
20 *offer opportunities for older individuals to be in-*
21 *volved in the governance, oversight, and oper-*
22 *ation of the project;*

23 “(G) *an assurance that the entity will sub-*
24 *mit to the Assistant Secretary such evaluations*

1 *and reports as the Assistant Secretary may re-*
2 *quire; and*

3 *“(H) a plan for long-term sustainability of*
4 *the project.*

5 *“(d) USE OF FUNDS.—*

6 *“(1) IN GENERAL.—An eligible entity that re-*
7 *ceives a grant under subsection (b) shall use the funds*
8 *made available through the grant to provide and co-*
9 *ordinate, through aging in place projects described in*
10 *subsection (b), services that include a comprehensive*
11 *and coordinated array of community-based health*
12 *and social services, which may include mental health*
13 *services, for eligible older individuals.*

14 *“(2) SERVICES.—The services described in para-*
15 *graph (1) shall include—*

16 *“(A) providing—*

17 *“(i) case management, case assistance,*
18 *and social work services;*

19 *“(ii) health care management and*
20 *health care assistance, including disease*
21 *prevention and health promotion services;*

22 *“(iii) education, socialization, and rec-*
23 *reational activities; and*

24 *“(iv) volunteer opportunities for*
25 *project participants; and*

1 “(B) *coordinating the services provided*
 2 *under title III for eligible older individuals*
 3 *served by the project.*

4 “(3) *PREFERENCE.—In carrying out an aging*
 5 *in place project, an eligible entity shall, to the extent*
 6 *practicable, serve communities of low-income individ-*
 7 *uals and operate or locate projects and services in or*
 8 *in close proximity to locations where large concentra-*
 9 *tions of older individuals have aged in place and re-*
 10 *sided, such as Naturally Occurring Retirement Com-*
 11 *munities.*

12 “(4) *SUPPLEMENT NOT SUPPLANT.—Funds made*
 13 *available to an eligible entity under this section shall*
 14 *be used to supplement, not supplant, any Federal,*
 15 *State, or other funds otherwise available to the entity*
 16 *to provide health and social services to eligible older*
 17 *individuals.*

18 “(e) *COMPETITIVE GRANTS FOR TECHNICAL ASSIST-*
 19 *ANCE.—*

20 “(1) *GRANTS.—The Assistant Secretary shall (or*
 21 *shall make a grant, on a competitive basis, to an eli-*
 22 *gible nonprofit organization, to enable the organiza-*
 23 *tion to)—*

24 “(A) *provide technical assistance to recipi-*
 25 *ents of grants under subsection (b); and*

1 “(B) carry out other duties, as determined
2 by the Assistant Secretary.

3 “(2) *ELIGIBLE ORGANIZATION.*—To be eligible to
4 receive a grant under this subsection, an organization
5 shall be a nonprofit organization (including a part-
6 nership of nonprofit organizations), that—

7 “(A) has experience and expertise in pro-
8 viding technical assistance to a range of entities
9 serving older individuals and experience evalu-
10 ating and reporting on programs; and

11 “(B) has demonstrated knowledge of and ex-
12 pertise in community-based health and social
13 services.

14 “(3) *APPLICATION.*—To be eligible to receive a
15 grant under this subsection, an organization (includ-
16 ing a partnership of nonprofit organizations) shall
17 submit an application to the Assistant Secretary at
18 such time, in such manner, and containing such in-
19 formation as the Assistant Secretary may require, in-
20 cluding an assurance that the organization will sub-
21 mit to the Assistant Secretary such evaluations and
22 reports as the Assistant Secretary may require.

23 “(f) *REPORT.*—The Assistant Secretary shall annually
24 prepare and submit a report to Congress that shall in-
25 clude—

1 “(1) the findings resulting from the evaluations
2 of the model projects conducted under this section;

3 “(2) a description of recommended best practices
4 regarding carrying out health and social service
5 projects for older individuals aging in place; and

6 “(3) recommendations for legislative or adminis-
7 trative action, as the Assistant Secretary determines
8 appropriate.”.

9 **SEC. 42. CHOICES FOR INDEPENDENCE DEMONSTRATION**
10 **PROJECTS.**

11 *Part A of title IV of the Older Americans Act of 1965*
12 *(42 U.S.C. 3031 et seq.), as amended by section 41, is fur-*
13 *ther amended by adding at the end the following:*

14 **“SEC. 423. CHOICES FOR INDEPENDENCE DEMONSTRATION**
15 **PROJECTS.**

16 “(a) *DEFINITIONS.—In this section:*

17 “(1) *CONSUMER.—The term ‘consumer’ means*
18 *an older individual, a family member of such indi-*
19 *vidual, and any other person seeking information or*
20 *assistance with respect to long-term care.*

21 “(2) *HIGH-RISK INDIVIDUAL.—The term ‘high-*
22 *risk individual’ means an older individual who—*

23 “(A) *has a functional impairment affecting*
24 *the individual’s activities of daily living;*

1 “(B) is ineligible for the Medicaid program
2 under title XIX of the Social Security Act (42
3 U.S.C. 1396 et seq.); and

4 “(C) meets such income and functional sta-
5 tus criteria as are determined to be appropriate
6 by the State involved and approved by the As-
7 sistant Secretary.

8 “(3) QUALIFIED EXPENDITURES.—The term
9 ‘qualified expenditures’ means reported expenditures
10 of a State under this section that have been reviewed
11 and approved by the Assistant Secretary.

12 “(4) SERVICE COORDINATION.—The term ‘service
13 coordination’ means a coordinated approach taken on
14 behalf of high-risk older individuals to facilitate the
15 development and implementation of a long-term care
16 plan and the choice and independence of the individ-
17 uals in securing long-term care.

18 “(b) AUTHORITY.—The Assistant Secretary shall make
19 grants on a competitive basis, in accordance with this sec-
20 tion, to States to enable the States to pay for the Federal
21 share of the cost of modifying their State systems of long-
22 term care in order to promote and facilitate—

23 “(1) the choice and control of older individuals
24 and their families in securing long-term care;

1 “(2) *the coordination and cost-effectiveness of*
2 *State systems of long-term care;*

3 “(3) *the provision of long-term care in home and*
4 *community-based settings; and*

5 “(4) *the ability of individuals receiving long-*
6 *term care to remain as independent and self-sufficient*
7 *as possible.*

8 “(c) *APPLICATIONS BY STATES.—For a State to be eli-*
9 *gible to receive a grant under this section, the Governor of*
10 *such State shall submit an application to the Assistant Sec-*
11 *retary, at such time, in such manner, and containing such*
12 *information as the Assistant Secretary may specify, con-*
13 *taining a plan for implementation of the component strate-*
14 *gies described in subsection (d) and such other information*
15 *and assurances as the Secretary determines to be appro-*
16 *priate.*

17 “(d) *USE OF FUNDS BY STATES.—*

18 “(1) *COMPONENT STRATEGIES.—A State that re-*
19 *ceives funds through a grant made under subsection*
20 *(b) shall use the funds to carry out a demonstration*
21 *project under this section (directly or by grant or con-*
22 *tract) by integrating into the State system of long-*
23 *term care the component strategies described in para-*
24 *graphs (2) through (5).*

1 “(2) *PUBLIC EDUCATION.*—*In carrying out the*
 2 *demonstration project, the State shall conduct activi-*
 3 *ties that shall include media campaigns, targeted*
 4 *mailings, and related activities, to help ensure that*
 5 *consumers are aware of—*

6 “(A) *the need to plan in advance for long-*
 7 *term care;*

8 “(B) *available public and private long-term*
 9 *care options, including private long-term care*
 10 *insurance; and*

11 “(C) *sources of information and resources*
 12 *related to long-term care, including the resource*
 13 *centers described in paragraph (3).*

14 “(3) *AGING AND DISABILITY RESOURCE CEN-*
 15 *TERS.*—

16 “(A) *IN GENERAL.*—*The State shall provide*
 17 *for community-level Aging and Disability Re-*
 18 *source Centers, which, consistent with section*
 19 *102(47) and subsection (f), shall provide—*

20 “(i) *comprehensive information on*
 21 *available public and private long-term care*
 22 *programs, options, and resources;*

23 “(ii) *personal counseling and service*
 24 *coordination to assist consumers in assess-*
 25 *ing their existing or anticipated long-term*

1 *care needs and circumstances, and devel-*
2 *oping and implementing a plan for long-*
3 *term care designed to meet their specific*
4 *needs and circumstances;*

5 “(iii) *a convenient point of entry to*
6 *the range of publicly-supported long-term*
7 *care programs for which an individual may*
8 *be eligible, including the Medicaid program*
9 *under title XIX of the Social Security Act*
10 *(42 U.S.C. 1396 et seq.), and to such other*
11 *public benefit programs as the State deter-*
12 *mines to be appropriate;*

13 “(iv) *a single process for consumer in-*
14 *take, assessment, and application for bene-*
15 *fits under the programs described in clause*
16 *(iii), including, where appropriate and fea-*
17 *sible, facilitating the determination of an*
18 *individual’s eligibility (including facili-*
19 *tating that determination in compliance*
20 *with the requirements of title XIX of the So-*
21 *cial Security Act) under such programs by*
22 *collaborating with the appropriate pro-*
23 *grammatic office; and*

24 “(v) *the ability—*

1 “(I) to respond immediately to a
2 request for assistance from an indi-
3 vidual or a family member of the indi-
4 vidual, in the event of a crisis situa-
5 tion that could result in placement of
6 such individual in an institutional
7 care setting; and

8 “(II) to provide (or coordinate the
9 provision of), such available short-term
10 assistance as would be necessary and
11 appropriate to temporarily preclude
12 the need for such institutional place-
13 ment, until a plan for home and com-
14 munity-based long-term care can be de-
15 veloped and implemented.

16 “(B) TRAINING.—In providing for the Cen-
17 ters, the State shall ensure that the staff of the
18 Centers is appropriately trained to understand
19 the interactions between private long-term care
20 insurance (especially insurance through long-
21 term care partnership policies) and eligibility
22 for benefits under the Medicaid program under
23 title XIX of the Social Security Act (42 U.S.C.
24 1396 et seq.).

1 “(4) *HEALTHY LIFESTYLE CHOICES.*—*The State*
2 *shall, in accordance with standards established by the*
3 *Assistant Secretary, provide for low-cost, community-*
4 *level, evidence-based prevention programs and related*
5 *tools to assist older individuals and their family care-*
6 *givers in learning about and making behavioral*
7 *changes intended to reduce the risk of injury, disease,*
8 *and disability among older individuals.*

9 “(5) *COMMUNITY LIVING INCENTIVES.*—

10 “(A) *IN GENERAL.*—*The State shall provide*
11 *funding toward and otherwise assist with the*
12 *provision of home and community-based long-*
13 *term care to individuals at high risk for place-*
14 *ment in institutional care (referred to in this*
15 *paragraph as ‘high-risk individuals’). The State*
16 *shall ensure that individuals at greatest risk for*
17 *becoming eligible for benefits under the Medicaid*
18 *program receive priority for the home and com-*
19 *munity-based long-term care.*

20 “(B) *LONG-TERM CARE PLAN.*—*The State*
21 *shall provide for assessments of the needs and*
22 *preferences of high-risk individuals with respect*
23 *to long-term care, and based on such assessments,*
24 *shall develop with such individuals and their*
25 *family members, caregivers, or legal representa-*

1 *tives a plan for long-term care for such individ-*
2 *uals, specifying the types of support, providers,*
3 *budget, and, if the State elects, cost-sharing con-*
4 *tributions involved.*

5 *“(C) ALLOCATION OF FUNDS BASED ON IN-*
6 *DIVIDUAL BUDGETS.—The State shall ensure*
7 *that the funding described in subparagraph (A)*
8 *will be allocated among, and disbursed for, the*
9 *budgets of high-risk individuals under long-term*
10 *care plans developed for such individuals.*

11 *“(D) OPTION TO PROVIDE CONSUMER-DI-*
12 *RECTED CARE.—The State shall provide high-*
13 *risk individuals with the option to receive home*
14 *and community-based long-term care under this*
15 *paragraph in a manner that permits such indi-*
16 *viduals to direct and control, in conjunction*
17 *with a service coordinator, the selection, plan-*
18 *ning, budgeting, and purchasing of such care*
19 *(including the amount, duration, scope, pro-*
20 *viders, and location of such care), to the extent*
21 *determined appropriate and feasible under the*
22 *long-term care plan developed under subpara-*
23 *graph (B). The service coordinator shall assist*
24 *the high-risk individuals in purchasing a range*
25 *of long-term care services or supplies, not other-*

1 *wise available or eligible for payment through an*
 2 *entity carrying out a Federal or State program*
 3 *or a similar third party, from a qualified pro-*
 4 *vider that are delivered in home and commu-*
 5 *nity-based settings and in a manner that best*
 6 *meets the individuals' needs and respects the in-*
 7 *dividuals' preferences to remain in the least re-*
 8 *strictive setting possible.*

9 “(e) *FEDERAL SHARE.*—*The Federal share of the cost*
 10 *of modifying systems of long-term systems care as described*
 11 *in subsection (b) shall be not more than 75 percent of such*
 12 *cost (calculated on an annual basis as the State's qualified*
 13 *expenditures for such modifications for such year).*

14 “(f) *SPECIAL PROVISIONS RELATING TO AGING AND*
 15 *DISABILITY RESOURCE CENTERS.*—*A State shall ensure*
 16 *that any Aging and Disability Resource Center shall—*

17 “(1) *fully coordinate its activities with any*
 18 *health insurance information, counseling, and assist-*
 19 *ance (receiving funding under section 4360 of the*
 20 *Omnibus Budget Reconciliation Act of 1990 (42*
 21 *U.S.C. 1395b–4)) in the State;*

22 “(2) *be subject to such controls as the Assistant*
 23 *Secretary determines to be appropriate to ensure there*
 24 *is no conflict of interest with respect to any referrals,*

1 for information or otherwise, made by the Center for
 2 individuals receiving services through the Center; and
 3 “(3) provide no long-term care services or sup-
 4 plies, with the exception of case management services
 5 provided through area agencies on aging as described
 6 in section 306(a)(8).

7 “(g) *SPECIAL PROVISIONS RELATING TO OPTION TO*
 8 *PROVIDE CONSUMER-DIRECTED CARE.*—Payments made
 9 for a high-risk individual under subsection (d)(5)(D) shall
 10 not be included in the gross income of the high-risk indi-
 11 vidual for purposes of the Internal Revenue Code of 1986
 12 or be treated as income, be treated as assets or benefits, or
 13 otherwise be taken into account, for purposes of determining
 14 the individual’s eligibility for, the amount of benefits for
 15 the individual under, or the amount of cost-sharing re-
 16 quired of the individual by, any other Federal or State pro-
 17 gram, other than the program carried out under this sec-
 18 tion.

19 “(h) *TECHNICAL ASSISTANCE TO STATES.*—The As-
 20 sistant Secretary, directly or by grant or contract, shall
 21 provide for technical assistance to and oversight of States
 22 carrying out demonstration projects under this section, for
 23 purposes of administration, quality assurance, and quality
 24 improvement.

1 “(i) *EVALUATION AND REPORT.*—*The Assistant Sec-*
 2 *retary, directly or by grant or contract, shall provide for*
 3 *an evaluation of the demonstration projects carried out*
 4 *under this section. The Assistant Secretary shall submit to*
 5 *the President a report containing the findings resulting*
 6 *from such evaluation not later than 6 months after the ter-*
 7 *mination of the demonstration projects.”.*

8 **SEC. 43. RESPONSIBILITIES OF ASSISTANT SECRETARY.**

9 *Section 432(c)(2)(B) of the Older Americans Act of*
 10 *1965 (42 U.S.C. 3033a(c)(2)(B)) is amended by inserting*
 11 *before the period the following: “, including preparing an*
 12 *analysis of such services, projects, and programs, and of*
 13 *how the evaluation relates to improvements in such services,*
 14 *projects, and programs and in the strategic plan of the Ad-*
 15 *ministration”.*

16 **SEC. 44. OLDER AMERICAN COMMUNITY SERVICE EMPLOY-**
 17 **MENT PROGRAM.**

18 *(a) IN GENERAL.*—*Section 502 of the Older Americans*
 19 *Act of 1965 (42 U.S.C. 3056) is amended—*

20 *(1) in subsection (a)(1), by adding at the end the*
 21 *following: “For purposes of this paragraph, an under-*
 22 *employed person shall be considered to be an unem-*
 23 *ployed person.”;*

24 *(2) in subsection (b)(1)(M), by striking “minor-*
 25 *ity, limited English-speaking, and Indian eligible in-*

1 *dividuals, and eligible individuals who have the*
 2 *greatest economic need,” and inserting “minority and*
 3 *Indian eligible individuals, eligible individuals with*
 4 *limited English proficiency, and eligible individuals*
 5 *with greatest economic need,”; and*

6 *(3) by adding at the end the following:*

7 *“(g)(1) Except as provided in paragraphs (2) and (3),*
 8 *an eligible individual may participate in projects carried*
 9 *out under this title for a period of not more than 36 months*
 10 *(whether or not consecutive) in the aggregate.*

11 *“(2) A grantee for a project may extend the period of*
 12 *participation for not more than 20 percent of the project*
 13 *participants. In selecting participants for the extended pe-*
 14 *riod of participation, the grantee shall give priority to—*

15 *“(A) participants who are 65 years old or older*
 16 *or frail older individuals; and*

17 *“(B) individuals who have more than 1 of the*
 18 *following barriers to employment:*

19 *“(i) A disability.*

20 *“(ii) Limited English proficiency or low lit-*
 21 *eracy skills.*

22 *“(iii) A residence in a rural area.*

23 *“(iv) A residence in an area of high unem-*
 24 *ployment.*

1 “(v) *Homelessness or a situation that puts*
 2 *the individual at risk for homelessness.*

3 “(vi) *A failure to find employment after*
 4 *utilizing services under title I of the Workforce*
 5 *Investment Act of 1998 (29 U.S.C. 2801 et seq.).*

6 “(3) *A grantee may petition for a waiver of the 36-*
 7 *month limit described in paragraph (1) if the grantee serves*
 8 *a high concentration of individuals who are hard-to-serve*
 9 *individuals because they have more than 1 barrier to em-*
 10 *ployment as described in paragraph (2)(B), including a*
 11 *grantee who operates a project in an area in which at least*
 12 *60 percent of the counties are rural counties, as defined by*
 13 *the Economic Research Service of the Department of Agri-*
 14 *culture.*

15 “(h) *It is the sense of the Senate that—*

16 “(1) *the older American community service em-*
 17 *ployment program was created with the intent of*
 18 *placing older individuals in community service posi-*
 19 *tions to provide job training placements; and*

20 “(2) *placing older individuals in community*
 21 *service positions strengthens the ability of the individ-*
 22 *uals to become self-sufficient, provides much-needed*
 23 *volunteer support to organizations who benefit signifi-*
 24 *cantly from increased civic engagement, and strength-*

1 *ens the communities that are served by such organiza-*
 2 *tions.”.*

3 (b) *DEFINITION.*—Section 506(g)(2) of the Older
 4 Americans Act of 1965 (42 U.S.C. 3056d(g)(2)) is amend-
 5 ed—

6 (1) in subparagraph (A), by striking “, or the
 7 amount remaining after the application of section
 8 514(e)”;

9 (2) in subparagraph (B), by striking “, or the
 10 amount remaining after the application of section
 11 514(f)”.

12 **SEC. 45. PERFORMANCE.**

13 Section 513 of the Older Americans Act of 1965 (42
 14 U.S.C. 3056k) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) by striking the paragraph designa-
 18 tion and all that follows through “grantees”
 19 and inserting the following:

20 “(1) *ESTABLISHMENT AND IMPLEMENTATION OF*
 21 *MEASURES.*—The Secretary shall establish and imple-
 22 ment, after consultation with the Assistant Secretary,
 23 grantees”; and

24 (ii) by adding at the end the following:

25 “The Assistant Secretary shall provide rec-

1 *ommendations to the Secretary on the estab-*
 2 *lishment and implementation of the per-*
 3 *formance measures.”;*

4 *(B) in paragraph (2)(B), by adding at the*
 5 *end the following:*

6 *“(iv) Not less than 60 percent of the*
 7 *counties, in the areas served by the grantee,*
 8 *being rural counties as defined by the Eco-*
 9 *nomics Research Service of the Department*
 10 *of Agriculture.*

11 *“(v) The areas served by the grantee*
 12 *comprising a difficult to serve territory due*
 13 *to limited economies of scale.”; and*

14 *(C) by adding at the end the following:*

15 *“(6) SPECIAL RULES.—*

16 *“(A) ESTABLISHMENT AND IMPLEMENTA-*
 17 *TION.—The Secretary shall establish and imple-*
 18 *ment the performance measures described in this*
 19 *section, including all required indicators de-*
 20 *scribed in subsection (b), not later than 1 year*
 21 *after the date of enactment of the Older Ameri-*
 22 *cans Act Amendments of 2006.*

23 *“(B) IMPACT ON GRANT COMPETITION.—The*
 24 *Secretary may not publish a notice announcing*
 25 *a grant competition under this title, and solici-*

1 *iting proposals for grants, until the day that is*
 2 *the later of—*

3 *“(i) the date on which the Secretary*
 4 *implements all required indicators described*
 5 *in subsection (b); and*

6 *“(ii) January 1, 2010.”; and*

7 *(2) by adding at the end the following:*

8 *“(e) EFFECT OF EXEMPTION.—In implementing a per-*
 9 *formance measure under this section, the Secretary shall not*
 10 *reduce a score on the performance measure of—*

11 *“(1) a grantee that receives a waiver under sec-*
 12 *tion 502(g)(3) on the basis that the grantee is extend-*
 13 *ing the period of participation for project partici-*
 14 *pants under that section; and*

15 *“(2) a grantee on the basis that the grantee is ex-*
 16 *tending the period of participation for project partici-*
 17 *pants under section 502(g)(2).”.*

18 **SEC. 46. COMPETITIVE REQUIREMENTS.**

19 *Section 514 of the Older Americans Act of 1965 (42*
 20 *U.S.C. 3056l) is amended—*

21 *(1) by striking subsection (a) and inserting the*
 22 *following:*

23 *“(a) PROGRAM AUTHORIZED.—In accordance with*
 24 *section 502(b), the Secretary shall award grants to eligible*
 25 *applicants, through a competitive process that emphasizes*

1 *meeting performance measures, to carry out projects under*
 2 *this title for a 4-year period. The Secretary may not con-*
 3 *duct a grant competition under this title until the day de-*
 4 *scribed in section 513(a)(6)(B).”;*

5 *(2) by striking subsection (b) and inserting the*
 6 *following:*

7 *“(b) ELIGIBLE APPLICANTS.—An applicant shall be*
 8 *eligible to receive a grant as described in subsection (a) if*
 9 *the applicant meets the requirements and criteria described*
 10 *in section 502(b)(1), subsections (c) and (d), and para-*
 11 *graphs (2) and (3) of subsection (e).”;*

12 *(3) in subsection (c)—*

13 *(A) by redesignating paragraphs (2)*
 14 *through (7) as paragraphs (4) through (9), re-*
 15 *spectively;*

16 *(B) by inserting after paragraph (1) the fol-*
 17 *lowing:*

18 *“(2) The applicant’s performance on the required*
 19 *indicators described in section 513(b), in the case of*
 20 *an applicant that has previously received a grant*
 21 *under this title, and the applicant’s ability to meet*
 22 *the required indicators, in the case of any other ap-*
 23 *plicant.*

24 *“(3) The applicant’s ability to administer a pro-*
 25 *gram that provides community service.”; and*

1 (C) by striking paragraph (9) and inserting
2 the following:

3 “(9) *The applicant’s ability to minimize disrup-*
4 *tion in services for project participants and the enti-*
5 *ties employing the participants.*

6 “(10) *Any additional criteria that the Secretary*
7 *may determine to be appropriate.”;*

8 (4) in subsection (e)—

9 (A) in paragraph (2), by striking subpara-
10 graphs (C) and (D);

11 (B) in paragraph (3)—

12 (i) by striking “(3)” and all that fol-
13 lows through “In” and inserting the fol-
14 lowing:

15 “(3) *COMPETITION REQUIREMENTS FOR PUBLIC*
16 *AND PRIVATE NONPROFIT AGENCIES AND ORGANIZA-*
17 *TIONS IN A STATE.—In”;*

18 (ii) by striking subparagraphs (B)
19 through (D); and

20 (iii) by striking “take corrective ac-
21 tion” and inserting “provide technical as-
22 sistance”; and

23 (C) in paragraph (4)—

1 (i) in the first sentence, by striking
2 “paragraph (3)(A)” and inserting “para-
3 graph (3)”; and

4 (ii) by striking the second sentence;
5 (5) in subsection (f), by striking paragraph (4);
6 and

7 (6) by adding at the end the following:

8 “(g) GRANTEES SERVING INDIVIDUALS WITH BAR-
9 RIERS TO EMPLOYMENT.—

10 “(1) DEFINITION.—In this subsection, the term
11 ‘individuals with barriers to employment’ means mi-
12 nority and Indian individuals, individuals with lim-
13 ited English proficiency, and individuals with great-
14 est economic need.

15 “(2) SPECIAL CONSIDERATION.—In areas where
16 a substantial population of individuals with barriers
17 to employment exists, a grantee that receives a na-
18 tional grant under this section shall, in selecting sub-
19 grantees, give special consideration to organizations
20 (including former recipients of such national grants)
21 with demonstrated expertise in serving individuals
22 with barriers to employment.

23 “(h) MINORITY-SERVING GRANTEES.—The Secretary
24 may not promulgate rules or regulations, affecting grantees
25 in areas where a substantial population of minority indi-

1 *viduals exists, that would significantly compromise the*
 2 *ability of the grantees to serve their targeted population of*
 3 *minority older individuals.”.*

4 **SEC. 47. DEFINITIONS.**

5 *Section 516(2) of the Older Americans Act of 1965 (42*
 6 *U.S.C. 3056n(2)) is amended—*

7 *(1) in the header, by striking “INDIVIDUALS”*
 8 *and inserting “INDIVIDUAL”;*

9 *(2) by inserting before “The term” the following:*
 10 *“(A) IN GENERAL.—”;*

11 *(3) by striking “individuals” and inserting “in-*
 12 *dividual”; and*

13 *(4) by adding at the end the following:*

14 *“(B) DETERMINATION OF LOW INCOME.—*
 15 *For purposes of determining income eligibility*
 16 *under subparagraph (A), the Secretary shall not*
 17 *include as income—*

18 *“(i) unemployment compensation;*

19 *“(ii) benefits received under title XVI*
 20 *of the Social Security Act (42 U.S.C. 1381*
 21 *et seq.);*

22 *“(iii) payments made to or on behalf of*
 23 *veterans or former members of the Armed*
 24 *Forces under the laws administered by the*
 25 *Secretary of Veterans Affairs; or*

1 “(iv) 25 percent of the old-age and sur-
 2 vivors insurance benefits received under title
 3 II of the Social Security Act (42 U.S.C. 401
 4 et seq.).”.

5 **SEC. 48. CLARIFICATION OF MAINTENANCE REQUIREMENT.**

6 (a) *IN GENERAL.*—Section 614A of the Older Ameri-
 7 cans Act of 1965 (42 U.S.C. 3057e–1) is amended by adding
 8 at the end the following:

9 “(c) *CLARIFICATION.*—

10 “(1) *DEFINITION.*—In this subsection, the term
 11 ‘covered year’ means fiscal year 2006 or a subsequent
 12 fiscal year.

13 “(2) *CONSORTIA OF TRIBAL ORGANIZATIONS.*—If
 14 a tribal organization received a grant under this part
 15 for fiscal year 1991 as part of a consortium, the As-
 16 sistant Secretary shall consider the tribal organiza-
 17 tion to have received a grant under this part for fiscal
 18 year 1991 for purposes of subsections (a) and (b), and
 19 shall apply the provisions of subsections (a) and
 20 (b)(1) (under the conditions described in subsection
 21 (b)) to the tribal organization for each covered year
 22 for which the tribal organization submits an applica-
 23 tion under this part, even if the tribal organization
 24 submits—

1 “(A) a separate application from the re-
2 maining members of the consortium; or

3 “(B) an application as 1 of the remaining
4 members of the consortium.”.

5 (b) *EFFECTIVE DATE*.—Subsection (a) takes effect on
6 October 1, 2005.

7 **SEC. 49. NATIVE AMERICANS CAREGIVER SUPPORT PRO-**
8 **GRAM.**

9 Section 643 of the Older Americans Act of 1965 (42
10 U.S.C. 3057n) is amended—

11 (1) in paragraph (1), by striking “2001” and in-
12 serting “2007”; and

13 (2) in paragraph (2), by striking “\$5,000,000”
14 and all that follows and inserting “\$6,500,000 for fis-
15 cal year 2007, \$7,000,000 for fiscal year 2008,
16 \$7,500,000 for fiscal year 2009, \$8,000,000 for fiscal
17 year 2010, and \$8,500,000 for fiscal year 2011.”.

18 **SEC. 50. VULNERABLE ELDER RIGHTS PROTECTION ACTIVI-**
19 **TIES.**

20 Section 702 of the Older Americans Act of 1965 (42
21 U.S.C. 3058a) is amended by striking “2001” each place
22 it appears and inserting “2007”.

1 **SEC. 51. ELDER ABUSE, NEGLECT, AND EXPLOITATION PRE-**
 2 **VENTION AMENDMENT.**

3 *Section 721 of the Older Americans Act of 1965 (42*
 4 *U.S.C. 3058i) is amended—*

5 *(1) in subsection (b)—*

6 *(A) by redesignating paragraphs (2)*
 7 *through (8) as paragraphs (3) through (9), re-*
 8 *spectively; and*

9 *(B) by inserting after paragraph (1) the fol-*
 10 *lowing new paragraph:*

11 *“(2) providing for public education and outreach*
 12 *to promote financial literacy and prevent identity*
 13 *theft and financial exploitation of older individuals;”;*
 14 *and*

15 *(2) in subsection (e)(2)—*

16 *(A) by striking “subsection (b)(8)(B)(i)”*
 17 *and inserting “subsection (b)(9)(B)(i)”;* and

18 *(B) by striking “subsection (b)(8)(B)(ii)”*
 19 *and inserting “subsection (b)(9)(B)(ii)”.*

20 **SEC. 52. NATIVE AMERICAN ORGANIZATION PROVISIONS.**

21 *Section 751(d) of the Older Americans Act of 1965 (42*
 22 *U.S.C. 3058aa(d)) is amended by striking “2001” and in-*
 23 *serting “2007”.*

24 **SEC. 53. ELDER JUSTICE PROGRAMS.**

25 *(a) PURPOSES.—The purposes of this section are as*
 26 *follows:*

1 (1) *To assist States and Indian tribes in devel-*
 2 *oping a comprehensive multi-disciplinary approach*
 3 *to elder justice.*

4 (2) *To promote research and data collection that*
 5 *will fill gaps in knowledge about elder abuse, neglect,*
 6 *and exploitation.*

7 (3) *To support innovative and effective activities*
 8 *of service providers and programs that are designed*
 9 *to address issues relating to elder abuse, neglect, and*
 10 *exploitation.*

11 (4) *To assist States, Indian tribes, and local*
 12 *service providers in the development of short- and*
 13 *long-term strategic plans for the development and co-*
 14 *ordination of elder justice research, programs, studies,*
 15 *training, and other efforts.*

16 (5) *To promote collaborative efforts and dimin-*
 17 *ish overlap and gaps in efforts in developing the im-*
 18 *portant field of elder justice.*

19 (b) *ELDER JUSTICE.—Title VII of the Older Ameri-*
 20 *cans Act of 1965 (42 U.S.C. 3058 et seq.) is amended—*

21 (1) *by redesignating subtitles B and C as sub-*
 22 *titles C and D, respectively;*

23 (2) *by redesignating sections 751, and 761*
 24 *through 764, as sections 761, and 771 through 774,*
 25 *respectively; and*

1 (3) by inserting after subtitle A the following:

2 **“Subtitle B—Elder Justice**
 3 **Programs**

4 **“SEC. 751. DEFINITIONS.**

5 *“In this subtitle:*

6 “(1) *CAREGIVER.—The term ‘caregiver’ means*
 7 *an individual who has the responsibility for the care*
 8 *of an elder, either voluntarily, by contract, by receipt*
 9 *of payment for care, or as a result of the operation*
 10 *of law and means a family member or other indi-*
 11 *vidual who provides (on behalf of such individual or*
 12 *of a public or private agency, organization, or insti-*
 13 *tution) compensated or uncompensated care to an*
 14 *elder.*

15 “(2) *DIRECT CARE.—The term ‘direct care’*
 16 *means care by an employee or contractor who pro-*
 17 *vides assistance or long-term care services to a recipi-*
 18 *ent.*

19 “(3) *ELDER.—The term ‘elder’ means an older*
 20 *individual, as defined in section 102.*

21 “(4) *ELDER JUSTICE.—The term ‘elder justice’*
 22 *means—*

23 “(A) *efforts to prevent, detect, treat, inter-*
 24 *vene in, and respond to elder abuse, neglect, and*
 25 *exploitation and to protect elders with dimin-*

1 *ished capacity while maximizing their auton-*
 2 *omy; and*

3 *“(B) from an individual perspective, the*
 4 *recognition of an elder’s rights, including the*
 5 *right to be free of abuse, neglect, and exploi-*
 6 *tation.*

7 *“(5) ELIGIBLE ENTITY.—The term ‘eligible enti-*
 8 *ty’ means a State or local government agency, Indian*
 9 *tribe, or any other public or private entity, that is en-*
 10 *gaged in and has expertise in issues relating to elder*
 11 *justice.*

12 *“(6) FIDUCIARY.—The term ‘fiduciary’—*

13 *“(A) means a person or entity with the*
 14 *legal responsibility—*

15 *“(i) to make decisions on behalf of and*
 16 *for the benefit of another person; and*

17 *“(ii) to act in good faith and with*
 18 *fairness; and*

19 *“(B) includes a trustee, a guardian, a con-*
 20 *servator, an executor, an agent under a financial*
 21 *power of attorney or health care power of attor-*
 22 *ney, or a representative payee.*

23 *“(7) GRANT.—The term ‘grant’ includes a con-*
 24 *tract, cooperative agreement, or other mechanism for*
 25 *providing financial assistance.*

1 “(8) *LAW ENFORCEMENT.*—*The term ‘law en-*
 2 *forcement’ means the full range of potential respond-*
 3 *ers to elder abuse, neglect, and exploitation includ-*
 4 *ing—*

5 “(A) *police, sheriffs, detectives, public safety*
 6 *officers, and corrections personnel;*

7 “(B) *prosecutors;*

8 “(C) *medical examiners;*

9 “(D) *investigators; and*

10 “(E) *coroners.*

11 “(9) *LONG-TERM CARE.*—

12 “(A) *IN GENERAL.*—*The term ‘long-term*
 13 *care’ means supportive and health services speci-*
 14 *fied by the Secretary for individuals who need*
 15 *assistance because the individuals have a loss of*
 16 *capacity for self-care due to illness, disability, or*
 17 *vulnerability.*

18 “(B) *LOSS OF CAPACITY FOR SELF-CARE.*—
 19 *For purposes of subparagraph (A), the term ‘loss*
 20 *of capacity for self-care’ means an inability to*
 21 *engage effectively in activities of daily living, in-*
 22 *cluding eating, dressing, bathing, and manage-*
 23 *ment of one’s financial affairs.*

24 “(10) *LONG-TERM CARE FACILITY.*—*The term*
 25 *‘long-term care facility’ means a residential care pro-*

1 *vider that arranges for, or directly provides, long-*
 2 *term care.*

3 “(11) *NURSING FACILITY.*—*The term ‘nursing*
 4 *facility’ has the meaning given such term under sec-*
 5 *tion 1919(a) of the Social Security Act (42 U.S.C.*
 6 *1396r(a)).*

7 “(12) *STATE LEGAL ASSISTANCE DEVELOPER.*—
 8 *The term ‘State legal assistance developer’ means an*
 9 *individual described in section 731.*

10 “(13) *STATE LONG-TERM CARE OMBUDSMAN.*—
 11 *The term ‘State Long-Term Care Ombudsman’ means*
 12 *the State Long-Term Care Ombudsman described in*
 13 *section 712(a)(2).*

14 **“SEC. 752. STATE AND TRIBAL GRANTS TO STRENGTHEN**
 15 **LONG-TERM CARE AND PROVIDE ASSISTANCE**
 16 **FOR ELDER JUSTICE PROGRAMS.**

17 “(a) *GRANTS.*—*The Assistant Secretary may award*
 18 *grants to States and Indian tribes to enable the States and*
 19 *tribes to strengthen long-term care and provide assistance*
 20 *for elder justice programs.*

21 “(b) *APPLICATION.*—*To be eligible to receive a grant*
 22 *under this subtitle, a State or Indian tribe shall submit*
 23 *an application to the Assistant Secretary at such time, in*
 24 *such manner, and containing such information as the As-*
 25 *stant Secretary may require.*

1 “(c) *USE OF FUNDS.*—A State or Indian tribe that
2 receives a grant under this subtitle may use the funds made
3 available through the grant to award grants—

4 “(1) to eligible entities for the prevention, detec-
5 tion, assessment, and treatment of, intervention in,
6 investigation of, and response to elder abuse, neglect,
7 and exploitation;

8 “(2) to eligible entities to examine various types
9 of elder shelters (in this paragraph referred to as ‘safe
10 havens’), and to test various safe haven models for es-
11 tablishing safe havens (at home or elsewhere), that—

12 “(A) recognize autonomy and self-deter-
13 mination, and fully protect the due process
14 rights of elders; and

15 “(B)(i) provide a comprehensive, culturally
16 sensitive, and multidisciplinary team response to
17 allegations of elder abuse, neglect, or exploi-
18 tation;

19 “(ii) provide a dedicated, elder-friendly set-
20 ting;

21 “(iii) have the capacity to meet the needs of
22 elders for care; and

23 “(iv) provide various services including—

24 “(I) nursing and forensic evaluation;

25 “(II) therapeutic intervention;

1 “(III) victim support and advocacy;
2 and

3 “(IV) case review and assistance to
4 make the elders safer at home or to find ap-
5 propriate placement in safer environments,
6 including shelters, and, in some cir-
7 cumstances long-term care facilities, other
8 residential care facilities, and hospitals;

9 “(3) to eligible entities to establish or continue
10 volunteer programs that focus on the issues of elder
11 abuse, neglect, and exploitation, or to provide related
12 services;

13 “(4) to eligible entities to support multidisci-
14 plinary elder justice activities, such as—

15 “(A) supporting and studying team ap-
16 proaches for bringing a coordinated multidisci-
17 plinary or interdisciplinary response to elder
18 abuse, neglect, and exploitation, including a re-
19 sponse from individuals in social service, health
20 care, public safety, and legal disciplines;

21 “(B) establishing a State or tribal coordi-
22 nating council, which shall identify the indi-
23 vidual State’s or Indian tribe’s needs and pro-
24 vide the Secretary with information and rec-
25 ommendations relating to efforts by the State or

1 *Indian tribe to combat elder abuse, neglect, and*
 2 *exploitation;*

3 *“(C) providing training, technical assist-*
 4 *ance, and other methods of support to groups*
 5 *carrying out multidisciplinary efforts at the*
 6 *State or Indian tribe level (referred to in some*
 7 *States as ‘State Working Groups’);*

8 *“(D) broadening and studying various mod-*
 9 *els for elder fatality and serious injury review*
 10 *teams, to make recommendations about their*
 11 *composition, protocols, functions, timing, roles,*
 12 *and responsibilities, with a goal of producing*
 13 *models and information that will allow for rep-*
 14 *lication based on the needs of other States, In-*
 15 *dian tribes, and communities; or*

16 *“(E) carrying out such other interdisdisci-*
 17 *plinary or multidisciplinary efforts as the Assistant*
 18 *Secretary determines to be appropriate;*

19 *“(5) to eligible entities to provide training for*
 20 *individuals with respect to issues of elder abuse, ne-*
 21 *glect, and exploitation, consisting of—*

22 *“(A) training within a discipline; or*

23 *“(B) cross-training activities that permit*
 24 *individuals in multiple disciplines to train to-*

1 *gether, fostering communication, coordinating ef-*
 2 *forts, and ensuring collaboration;*

3 *“(6) to eligible entities to address underserved*
 4 *populations of elders, such as—*

5 *“(A) elders living in rural locations;*

6 *“(B) elders in minority populations; or*

7 *“(C) low-income elders;*

8 *“(7) to eligible entities to provide incentives for*
 9 *individuals to train for, seek, and maintain employ-*
 10 *ment providing direct care in a long-term care facil-*
 11 *ity, such as—*

12 *“(A) to eligible entities to provide incentives*
 13 *to participants in programs carried out under*
 14 *part A of title IV, and section 403(a)(5), of the*
 15 *Social Security Act (42 U.S.C. 601 et seq.,*
 16 *603(a)(5)) to train for and seek employment pro-*
 17 *viding direct care in a long-term care facility;*

18 *“(B) to long-term care facilities to carry out*
 19 *programs through which the facilities—*

20 *“(i) offer, to employees who provide di-*
 21 *rect care to residents of a long-term care fa-*
 22 *cility, continuing training and varying lev-*
 23 *els of professional certification, based on ob-*
 24 *served clinical care practices and the*

1 *amount of time the employees spend pro-*
2 *viding direct care; and*

3 “(ii) *provide, or make arrangements*
4 *with employers to provide, bonuses or other*
5 *increased compensation or benefits to em-*
6 *ployees who achieve professional certifi-*
7 *cation under such a program; or*

8 “(C) *to long-term care facilities to enable*
9 *the facilities to provide training and technical*
10 *assistance to eligible employees regarding man-*
11 *agement practices using methods that are dem-*
12 *onstrated to promote retention of employees of*
13 *the facilities, such as—*

14 “(i) *the establishment of basic human*
15 *resource policies that reward high perform-*
16 *ance, including policies that provide for im-*
17 *proved wages and benefits on the basis of*
18 *job reviews; or*

19 “(ii) *the establishment of other pro-*
20 *grams that promote the provision of high*
21 *quality care, such as a continuing edu-*
22 *cation program that provides additional*
23 *hours of training, including on-the-job*
24 *training, for employees who are certified*
25 *nurse aides;*

1 “(8) to encourage the establishment of eligible
 2 partnerships to develop collaborative and innovative
 3 approaches to improve the quality of, including pre-
 4 venting abuse, neglect, and exploitation in, long-term
 5 care; or

6 “(9) to eligible entities to establish multidisci-
 7 plinary panels to address and develop best practices
 8 concerning methods of—

9 “(A) improving the quality of long-term
 10 care; and

11 “(B) addressing abuse, including resident-
 12 to-resident abuse, in long-term care.

13 “(d) *ADMINISTRATIVE EXPENSES.*—A State or Indian
 14 tribe that receives a grant under this section shall not use
 15 more than 5 percent of the funds made available through
 16 the grant to pay for administrative expenses.

17 “(e) *SUPPLEMENT NOT SUPPLANT.*—Funds made
 18 available pursuant to this section shall be used to supple-
 19 ment and not supplant other Federal, State, and local (in-
 20 cluding tribal) funds expended to provide activities de-
 21 scribed in subsection (c).

22 “(f) *MAINTENANCE OF EFFORT.*—The State or Indian
 23 tribe, in using the proceeds of a grant received under this
 24 section, shall maintain the expenditures of the State or tribe
 25 for activities described in subsection (c) at a level equal to

1 *not less than the level of such expenditures maintained by*
 2 *the State or tribe for the fiscal year preceding the fiscal*
 3 *year for which the grant is received.*

4 “(g) *ACCOUNTABILITY MEASURES.*—*The Assistant*
 5 *Secretary shall develop accountability measures to ensure*
 6 *the effectiveness of the activities conducted using funds*
 7 *made available under this section, including accountability*
 8 *measures to ensure that the activities described in sub-*
 9 *section (c)(7) benefit eligible employees and increase the sta-*
 10 *bility of the long-term care workforce.*

11 “(h) *EVALUATING PROGRAMS.*—*The Assistant Sec-*
 12 *retary shall evaluate the activities conducted using funds*
 13 *made available under this section and shall use the results*
 14 *of such evaluation to determine the activities for which*
 15 *funds made available under this section may be used.*

16 “(i) *COMPLIANCE WITH APPLICABLE LAWS.*—*In order*
 17 *to receive funds under this section, an entity shall comply*
 18 *with all applicable laws, regulations, and guidelines.*

19 “(j) *ELIGIBLE PARTNERSHIPS.*—*In subsection (c)(8),*
 20 *the term ‘eligible partnership’ means a multidisciplinary*
 21 *community partnership consisting of eligible entities or ap-*
 22 *propriate individuals, such as a partnership consisting of*
 23 *representatives in a community of nursing facility pro-*
 24 *viders, State legal assistance developers, advocates for resi-*
 25 *dents of long-term care facilities, State Long-Term Care*

1 *Ombudsmen, surveyors, the State agency with responsi-*
 2 *bility for adult protective services, the State agency with*
 3 *responsibility for licensing long-term care facilities, law en-*
 4 *forcement agencies, courts, family councils, residents, cer-*
 5 *tified nurse aides, registered nurses, physicians, and other*
 6 *eligible entities and appropriate individuals.*

7 “(k) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
 8 *are authorized to be appropriated to carry out this section*
 9 *such sums as may be necessary for each of fiscal years 2005*
 10 *through 2008.*

11 **“SEC. 753. COLLECTION OF UNIFORM NATIONAL DATA ON**
 12 **ELDER ABUSE, NEGLECT, AND EXPLOI-**
 13 **TATION.**

14 “(a) *PURPOSE.*—*The purpose of this section is to im-*
 15 *prove, streamline, and promote uniform collection, mainte-*
 16 *nance, and dissemination of national data relating to the*
 17 *various types of elder abuse, neglect, and exploitation.*

18 “(b) *PHASE I.*—

19 “(1) *IN GENERAL.*—*Not later than the date that*
 20 *is 1 year after the date of enactment of the Older*
 21 *Americans Act Amendments of 2006, the Assistant*
 22 *Secretary, acting through the head of the Office of*
 23 *Elder Abuse Prevention and Services, after consulta-*
 24 *tion with the Attorney General and working with ex-*
 25 *perts in relevant disciplines from the Bureau of Jus-*

1 *tice Statistics of the Office of Justice Programs of the*
2 *Department of Justice, shall—*

3 *“(A) develop a method for collecting na-*
4 *tional data regarding elder abuse, neglect, and*
5 *exploitation; and*

6 *“(B) develop uniform national data report-*
7 *ing forms adapted to each relevant entity or dis-*
8 *cipline (such as health, public safety, social and*
9 *protective services, and law enforcement) reflect-*
10 *ing—*

11 *“(i) the distinct manner in which each*
12 *entity or discipline receives and maintains*
13 *information; and*

14 *“(ii) the sequence and history of re-*
15 *ports to or involvement of different entities*
16 *or disciplines, independently, or the se-*
17 *quence and history of reports from 1 entity*
18 *or discipline to another over time.*

19 *“(2) FORMS.—*

20 *“(A) IN GENERAL.—Subject to subpara-*
21 *graph (B), the national data reporting forms de-*
22 *scribed in paragraph (1)(B) shall incorporate*
23 *the definitions of section 751, for use in deter-*
24 *mining whether an event is reportable.*

1 “(B) *PROTECTION OF PRIVACY.*—*In pur-*
 2 *swing activities under this paragraph, the Sec-*
 3 *retary shall ensure the protection of individual*
 4 *health privacy consistent with the regulations*
 5 *promulgated under section 264(c) of the Health*
 6 *Insurance Portability and Accountability Act of*
 7 *1996 and State and local privacy regulations (as*
 8 *applicable).*

9 “(c) *PHASE II.*—

10 “(1) *IN GENERAL.*—*Not later than the date that*
 11 *is 1 year after the date on which the activities de-*
 12 *scribed in subsection (b)(1) are completed, the Sec-*
 13 *retary (or the Secretary’s designee) shall ensure that*
 14 *the national data reporting forms and data collection*
 15 *methods developed in accordance with such subsection*
 16 *are pilot tested in 6 States selected by the Secretary.*

17 “(2) *ADJUSTMENTS TO THE FORM AND METH-*
 18 *ODS.*—*The Secretary, after considering the results of*
 19 *the pilot testing described in paragraph (1) and con-*
 20 *sultation with the Attorney General and relevant ex-*
 21 *perts, shall adjust the national data reporting forms*
 22 *and data collection methods as necessary.*

23 “(d) *PHASE III.*—

24 “(1) *DISTRIBUTION OF NATIONAL DATA REPORT-*
 25 *ING FORMS.*—*After completion of the adjustment to*

1 *the national data reporting forms under subsection*
 2 *(c)(2), the Secretary shall submit the national data*
 3 *reporting forms along with instructions to—*

4 *“(A) the heads of the relevant components of*
 5 *the Department of Health and Human Services,*
 6 *the Department of Justice, and the Department*
 7 *of the Treasury, and such other Federal entities*
 8 *as may be appropriate; and*

9 *“(B) the Governor’s office of each State for*
 10 *collection from all relevant State entities of data,*
 11 *including health care, social services, and law*
 12 *enforcement data.*

13 *“(2) DATA COLLECTION GRANTS.—*

14 *“(A) AUTHORIZATION.—The Secretary is*
 15 *authorized to award grants to States to improve*
 16 *data collection activities relating to elder abuse,*
 17 *neglect, and exploitation.*

18 *“(B) APPLICATION.—To be eligible to re-*
 19 *ceive a grant under this paragraph, a State shall*
 20 *submit an application to the Secretary at such*
 21 *time, in such manner, and containing such in-*
 22 *formation as the Secretary may require.*

23 *“(C) REQUIREMENTS.—Each State receiv-*
 24 *ing a grant under this paragraph for a fiscal*
 25 *year shall report data for the calendar year that*

1 *begins during that fiscal year, using the national*
2 *data reporting forms described in paragraph (1).*

3 *“(D) FUNDING.—*

4 *“(i) FIRST YEAR.—For the first fiscal*
5 *year for which a State receives grant funds*
6 *under this subsection the Secretary shall*
7 *initially distribute 50 percent of such funds.*
8 *The Secretary shall distribute the remain-*
9 *ing funds at the end of the calendar year*
10 *that begins during that fiscal year, if the*
11 *Secretary determines that the State has*
12 *properly reported data required under this*
13 *subsection for the calendar year.*

14 *“(ii) SUBSEQUENT YEARS.—Except as*
15 *provided in clause (i), the Secretary shall*
16 *distribute grant funds to a State under this*
17 *subsection for a fiscal year if the Secretary*
18 *determines that the State properly reported*
19 *data required under this subsection for the*
20 *calendar year that ends during that fiscal*
21 *year.*

22 *“(3) REQUIRED INFORMATION.—Each report*
23 *submitted under this subsection shall—*

24 *“(A) indicate the State and year in which*
25 *each event occurred; and*

1 “(B) identify the total number of events
2 that occurred in each State during the year and
3 the type of each event.

4 “(e) *REPORT.*—Not later than 1 year after the date
5 of enactment of the Older Americans Act Amendments of
6 2006 and annually thereafter, the Secretary shall prepare
7 and submit to the appropriate committees of Congress, in-
8 cluding to the Committee on Health Education, Labor, and
9 Pensions and the Special Committee on Aging of the Sen-
10 ate, a report regarding activities conducted under this sec-
11 tion.

12 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—There are
13 authorized to be appropriated to carry out this section such
14 sums as may be necessary for each of fiscal years 2007,
15 2008, 2009, 2010, and 2011.”.

16 **SEC. 54. RULE OF CONSTRUCTION.**

17 *Subtitle D of title VII of the Older Americans Act of*
18 *1965 (42 U.S.C. 3058bb et seq.), as redesignated by section*
19 *53(b)(1), is amended by adding at the end the following:*

20 **“SEC. 775. RULE OF CONSTRUCTION.**

21 *“Nothing in this title shall be construed to interfere*
22 *with or abridge the right of an older individual to practice*
23 *the individual’s religion through reliance on prayer alone*
24 *for healing, in a case in which a decision to so practice*
25 *the religion—*

1 “(1) is contemporaneously expressed by the older
2 individual—

3 “(A) either orally or in writing;

4 “(B) with respect to a specific illness or in-
5 jury that the older individual has at the time of
6 the decision; and

7 “(C) when the older individual is competent
8 to make the decision;

9 “(2) is set forth prior to the occurrence of the ill-
10 ness or injury in a living will, health care proxy, or
11 other advance directive document that is validly exe-
12 cuted and applied under State law; or

13 “(3) may be unambiguously deduced from the
14 older individual’s life history.”.

15 **SEC. 55. TECHNICAL AMENDMENTS.**

16 *The Older Americans Act of 1965 (42 U.S.C. 3001 et*
17 *seq.) is amended—*

18 (1) in section 202(e)(1)(A) by striking the semi-
19 colon at the end and inserting a period; and

20 (2) by inserting before section 401 the following:

1 **“TITLE IV—ACTIVITIES FOR**
2 **HEALTH, INDEPENDENCE,**
3 **AND LONGEVITY”.**

4 **SEC. 56. CONFORMING AMENDMENTS TO OTHER ACTS.**

5 (a) *OLDER AMERICANS ACT AMENDMENTS OF 1987.*—
6 *Section 205(1) of the Older Americans Act Amendments of*
7 *1987 (42 U.S.C. 3001 note) is amended by striking “section*
8 *102(17) of the Older Americans Act of 1965 (42 U.S.C.*
9 *3002(17))” and inserting “section 102 of the Older Ameri-*
10 *cans Act of 1965 (42 U.S.C. 3002)”.*

11 (b) *ENERGY CONSERVATION AND PRODUCTION ACT.*—
12 *Section 412(6) of the Energy Conservation and Production*
13 *Act (42 U.S.C. 6862(6)) is amended by striking “para-*
14 *graphs (4), (5), and (6), respectively, of section 102” and*
15 *inserting “section 102”.*

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2^D Session

S. 3570

A BILL

To amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes.

SEPTEMBER 19, 2006

Reported with an amendment